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FILE NO. 130229 RESOLUTION NO. 101-13

[5-Year Financial Plan - FY2013-2014 through FY2017-2018]

Resolution adopting the City's 5-Year Financial Plan for FY2013-2014 through FY2017-2018 pursuant to Charter Section 9.119.

WHEREAS, Charter Section 9.119 requires the Mayor to propose and the Board of Supervisors to review, amend, and adopt in odd-numbered years a five-year financial plan to be used as a tool to plan for future City budgets; and

WHEREAS, Section 9.119 provides that the City shall adopt the second City-wide five-year plan by May 1, 2013; and

WHEREAS, The Mayor has submitted his proposed five-year plan to the Board of Supervisors for its consideration, which plan is on file with the Clerk of the Board of Supervisors in File No. 130229, and which is hereby declared to be a part of this resolution as if set forth fully herein; and

WHEREAS, The Board of Supervisors has reviewed the plan included the following set of financial strategies designed to restore fiscal stability: (1) restructuring the City's debt and capital programs, (2) controlling employee wage and benefits costs, (3) seeking additional tax, fee, and other revenues, (4) adjusting baselines and revenue allocations, (5) limiting non-salary inflation, (6)aligning the use of one-time and non-recurring savings to support one time expenditures, and (7) establishing planning goals for departmental expenditure reductions as outlined in the plan; now therefore be it

RESOLVED, That the Board of Supervisors adopts the Mayor's proposed plan and the financial strategies outlined therein, with such amendments and revisions as the Board deems appropriate, as the City's five-year financial plan for Fiscal Years 2013-2014 through 2017-18, as provided in Charter Section 9.119.

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City and County of San Francisco
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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130229 **Date Passed:** April 02, 2013

Resolution adopting the City's 5-Year Financial Plan for FY2013-2014 through FY2017-2018 pursuant to Charter, Section 9.119.

March 27, 2013 Budget and Finance Committee - RECOMMENDED

April 02, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130229

I hereby certify that the foregoing Resolution was ADOPTED on 4/2/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/10/13
Date Approved

FILE NO. 121192 RESOLUTION NO. 102-13

[Airport Concession Lease - Host International, Inc. - $ 733,176 Minimum Annual Guarantee]

Resolution approving the International Terminal and Terminal 3 Newsstands/Café Lease between Host International, Inc. and the City and County of San Francisco, acting by and through its Airport Commission for a ten year term with a minimum annual guarantee of $733,176.

WHEREAS, The Airport Commission has requested for proposals for the International Terminal and Terminal 3 Newsstands/Café Lease; and

WHEREAS, Host International, Inc. was the highest, responsive and responsible proposer; and,

WHEREAS, The Airport Commission approved Resolution No. 12-0085, adopted April 17, 2012, awarding the International Terminal and Terminal 3 Newsstands/Café Lease to Host International, Inc. now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the International Terminal and Terminal 3 Newsstands/Café Lease, copies of which are contained in Board of Supervisors' File No. 121192, for a ten year term with a minimum annual guarantee of $733,176.

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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121192 **Date Passed:** April 09, 2013

Resolution approving the International Terminal and Terminal 3 Newsstands/Café Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a ten year term with a minimum annual guarantee of $733,176.

April 03, 2013 Budget and Finance Sub-Committee - RECOMMENDED

April 09, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 121192

I hereby certify that the foregoing Resolution was ADOPTED on 4/9/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/17/13
Date Approved

SUBSTITUTED
3/26/13

FILE NO. 130265 RESOLUTION NO. 103-13

[Issuance of Tax-Exempt Obligation - French American International School - Not to Exceed $6,500,000]

Resolution approving, in accordance with Internal Revenue Code, Section 147(f), the issuance of a tax-exempt revenue obligation by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $6,500,000 to finance various capital facilities owned or operated by the French American International School.

WHEREAS, French American International School, a California nonprofit public benefit corporation (the "School"), has requested that the California Statewide Communities Development Authority, a joint exercise of powers agency established pursuant to the laws of the State of California (the "Authority"), issue its tax-exempt revenue obligation (the "Obligation"), in an aggregate principal amount not to exceed $6,500,000, for the purpose of making a loan to the School pursuant to a plan of financing for various capital facilities as more fully described below; and,

WHEREAS, The City and County of San Francisco (the "City") is a member of the Authority; and,

WHEREAS, The School expects to use the proceeds of the Obligation for: (1) financing the construction, improvement and equipping of certain of the School's educational facilities located at 150 Oak Street, San Francisco, California 94102, and at 1155 Page Street, San Francisco, California 94117 (collectively, the "Facilities"), and (2) paying costs of issuance related to the Obligation and other related costs (collectively, the "Project"); and,

WHEREAS, the owner and/or operator of all capital improvements, including equipment and other costs to be financed with proceeds of the Obligation, at 150 Oak Street, San Francisco, California 94102, will be the School; and,

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WHEREAS, The owner of the building to be constructed with proceeds of the Loan, at 1155 Page Street, San Francisco, California 94117, will be either the School or the San Francisco Unified School District, and the operator of such building will be the School; and,

WHEREAS, The issuance of the Obligation shall be subject to the approval of and execution by the Authority of all financing documents relating thereto to which the Authority is a party; and,

WHEREAS, The Project is located wholly within the City; and,

WHEREAS, The interest on the Obligation may qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") only if the Obligation is approved by an applicable elected representative of the City in accordance with Section 147(f) of the Code; and,

WHEREAS, The Board of Supervisors of the City (the "Board") is the elected legislative body of the City and is therefore an "applicable elected representative" required to approve the issue within the meaning of Section 147(f) of the Code and Section 9 of the Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988 (the "Agreement"), among the Authority and certain agencies, including the City; and,

WHEREAS, The Authority has requested the Board to approve the issuance of the Obligation in order to satisfy the public approval requirements of Section 147(f) of the Code and Section 9 of the Agreement; and,

WHEREAS, On December 24, 2012, the City caused a notice to appear in the San Francisco Chronicle, which is a newspaper of general circulation in the City, stating that a public hearing with respect to the issuance of the Obligation would be held by the City's Office of Public Finance on January 9, 2013; and,

WHEREAS, The City's Office of Public Finance held the public hearing described above on January 9, 2013, and an opportunity was provided for persons to comment on the issuance of the Obligation and plan of financing the Project; and,

WHEREAS, The Director of Public Finance recommends approval of the issuance of the Obligation pursuant to Chapter 43, Article 9, Section 5 of the Administrative Code; now, therefore be it

RESOLVED, That this Board hereby finds and declares the above recitals are true and correct; and, be it

FURTHER RESOLVED, That this Board hereby approves the issuance of the Obligation by the Authority; and, be it

FURTHER RESOLVED, That it is the purpose and intent of this Board that this Resolution constitute approval of the issuance of the Obligation by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, and on behalf of which the Obligation is being issued, for purposes of and in accordance with Section 147(f) of the Code and Section 9 of the Agreement; and, be it

FURTHER RESOLVED, That the approval by the City of the issuance of the Obligation by the Authority is neither an approval of the underlying credit of the School or of the proposed Project nor an approval of the financial structure of the Obligation; and neither the City, nor any department thereof, shall have any responsibility or liability whatsoever with respect to the Obligation or the Project; and, be it

FURTHER RESOLVED, That the Obligation shall not constitute a debt or obligation in any respect of the City and the payment of the principal, prepayment premium, if any, and interest on the Obligation shall be solely the responsibility of the School; and, be it

FURTHER RESOLVED, That the adoption of this Resolution shall not obligate the City or any department of the City to (i) provide financing to the School for the construction,

improvement and equipping of the Facilities or to issue the Obligation for purposes of such financing; (ii) make any contribution or advance any funds to the Authority; or (iii) approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other regulatory action sought in connection with the Project; and, be it

FURTHER RESOLVED, That the Controller and the Director of the Office of Public Finance and any other proper officers of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts as may be necessary or advisable to effect the purposes of this Resolution, and, be it

FURTHER RESOLVED, That this Resolution shall take effect immediately upon its adoption.

APPROVED AS TO FORM:

DENNIS J. HERRERA
CITY ATTORNEY

BY: Kenneth David Roux
KENNETH DAVID ROUX
Deputy City Attorney

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130265 **Date Passed:** April 09, 2013

Resolution approving, in accordance with Internal Revenue Code Section 147(f), the issuance of a tax-exempt revenue obligation by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $6,500,000 to finance various capital facilities owned by the French American International School.

April 03, 2013 Budget and Finance Sub-Committee - RECOMMENDED

April 09, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130265

I hereby certify that the foregoing Resolution was ADOPTED on 4/9/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/17/13
Date Approved

FILE NO. 130150 RESOLUTION NO. 104-13

[Accept and Expend Grant - Used Motor Oil Recycling - $229,123]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $229,123 from the California Department of Resources Recycling and Recovery for the purpose of increasing used motor oil recycling and household hazardous waste management for the period of April 30, 2013, through June 30, 2014.

WHEREAS, Public Resources Code (PRC) sections 48690 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, to make grants to qualifying jurisdictions for implementation of their used oil programs as required by PRC Section 48690 et seq.; and

WHEREAS, In furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the Used Oil Payment Program; and

WHEREAS, The grant is available to the City and County of San Francisco from CalRecycle; and

WHEREAS, Through a recurring grant cycle the City and County of San Francisco has annually entered into agreement with the State of California for implementation of used oil collection programs for the past seventeen (17) years; and

WHEREAS, The grant includes provision for indirect costs of $20,829.36; and

WHEREAS, The term of the grant is from April 30, 2013 through June 30, 2015; and

WHEREAS, This grant does not require an Annual Salary Ordinance amendment; and

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WHEREAS, This payment does not require an Annual Salary Ordinance amendment; and

WHEREAS, The payment was not included in the annual budget process of the City and County of San Francisco but awarded by the State of California; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the Director of the Department of the Environment, or a designee, to accept and expend $229,123 from CalRecycle to implement and administer the San Francisco used motor oil program; and be it

FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Director of the Department of Environment, or a designee, to execute in the name of the City and County of San Francisco all documents, including but not limited to, applications, contracts, payment requests, agreements, annual reports (including expenditure reports) and amendments hereto for the purposes of securing used oil payment program funds and to implement and carry out the purposes specified in the program application; and be it

FURTHER RESOLVED, That, to meet CalRecycle's requirement that San Francisco's governing body approve the submission of annual funding applications, the Board of Supervisors authorizes the submittal of an annual used oil payment program application to CalRecycle for all available payments under PRC Section 48690 et seq. and this authorization shall remain in effect for five (5) years from July 1, 2013.

Recommended:

Department Head

Approved: Mayor

Approved: Controller, Grant Division

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130150 **Date Passed:** April 09, 2013

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $229,123 from the California Department of Resources Recycling and Recovery for the purpose of increasing used motor oil recycling and household hazardous waste management for the period of April 30, 2013, through June 30, 2014.

April 03, 2013 Budget and Finance Sub-Committee - RECOMMENDED

April 09, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130150

I hereby certify that the foregoing Resolution was ADOPTED on 4/9/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/12/13
Date Approved

[Supporting Assembly Bills 218 and 870 - Expansion of California's Fair Hiring Policies to Cities, Counties, State Agencies, Special Districts, and Private Employers That Contract with State Agencies]

Resolution supporting Assembly Bill 218, which expands California's existing fair hiring policies for state and public employees to city and county workers statewide, and Assembly Bill 870, which expands California's existing fair hiring policies to private employers that contract with the State.

WHEREAS, Existing law requires the hiring practices and promotional practices of a local agency, as defined, to conform to the Federal Civil Rights Act of 1964 and prohibits any local agency from, as a part of its hiring practices or promotional practices, employing any educational prerequisites or testing or evaluation methods, which are not job related unless there is no adverse effect; and

WHEREAS, California Assembly Bill 218 (Dickinson), on file with the Clerk of the Board of Supervisors in File No. 130302, which is hereby declared to be part of this resolution as if set forth fully herein, recently introduced in the California Assembly, would prohibit a local agency from inquiring into or considering the criminal history of an applicant and including any inquiry about criminal history on any initial employment application; and

WHEREAS, California Assembly Bill 218 would allow a local or state agency to consider an applicant's conviction history after the applicant's qualifications have been screened and the agency has determined the applicant meets the minimum employment requirements, as stated in any notice issued for the position; and

WHEREAS, California Assembly Bill 218 would not apply to a position for which a local agency is otherwise required by law to conduct a criminal history background check; and

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WHEREAS, California Assembly Bill 218 would also express a legislative finding and declaration that reducing barriers to employment for people who have previously offended, and decreasing unemployment in communities with concentrated numbers of people who have previously offended, is a matter of statewide concern; and

WHEREAS, All cities, counties, state agencies, and special districts, including charter cities and counties would be subject to the provisions of California Assembly Bill 218; and

WHEREAS, California Assembly Bill 870 (Jones-Sawyer), on file with the Clerk of the Board of Supervisors in File No. 130302, which is hereby declared to be part of this resolution as if set forth fully herein, recently introduced in the California Assembly, would prohibit the State from contracting with a person or entity that inquires into or considers the criminal history of a potential employee on an initial employment application; and

WHEREAS, California Assembly Bill 870 would authorize the State to contract with a person or entity that inquires into or considers an applicant's criminal history after the applicant's qualifications have been screened and the employer has determined the applicant meets the minimum employment requirements; and

WHEREAS, California Assembly Bill 870 would not apply to a position for which an employer is otherwise required by law to conduct a criminal history background check or to any contract position with a criminal justice agency; and

WHEREAS, California Assembly Bill 870 would also express a legislative finding and declaration that reducing barriers to employment for people who have previously offended, and decreasing unemployment in communities with concentrated numbers of people who have previously offended, is a matter of statewide concern; and

WHEREAS, In California and around the country, qualified job applicants often are plagued by old or minor convictions and are discouraged from submitting applications for

employment because a check box on job applications requires disclosure of criminal history information that often leads employers to dismiss applicants at the outset; and

WHEREAS, People of color are disproportionally impacted by criminal background checks in employment, which is why the U.S. Equal Employment Opportunity Commission (EEOC) requires employers to establish a strong nexus between an applicant's criminal history and the specific duties and responsibilities of a given position; and

WHEREAS, The City and County of San Francisco and over 45 other cities and counties in the United States removed the conviction history inquiry from initial employment applications in public employment and delayed the criminal background check until the later stages of the hiring process; and

WHEREAS, In 2010, California because the sixth state to do so when the State Personnel Board removed the question from employment applications for state level positions in public service; and

WHEREAS, Realignment of California's criminal justice system, as described in California Assembly Bill 109, seeks to produce budgetary savings by reducing recidivism and promoting rehabilitation; and

WHEREAS, Employment of eligible people with a conviction history is key to the success of the realignment strategy at a local level, as studies show that stable employment significantly lowers recidivism and promotes public safety; and

WHEREAS, In October 2005, the San Francisco Board of Supervisors unanimously adopted legislation that promoted the successful integration of individuals with criminal histories and initiated the removal of the request for conviction history information in the initial application process for public employment; and

WHEREAS, The Reentry Council of the City and County of San Francisco, in its Annual Report, identified arrest and conviction records as barriers to employment, and it

recommends that the City and County of San Francisco's policy on criminal background checks should be extended to other jurisdictions; and

WHEREAS, The City and County of San Francisco strongly supports California Assembly Bill 218 and California Assembly Bill 870 because they promote public safety by reducing unnecessary barriers to employment for nearly seven million adults in California with criminal records; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby supports California Assembly Bill 218 and California Assembly Bill 870 and authorizes the Clerk of the Board of Supervisors to communicate to the California State Legislature its support of California Assembly Bill 218 and California Assembly Bill 870; and

FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs the Clerk of the Board to transmit copies to the members of the State Assembly from San Francisco and the members of the State Senate that represent San Francisco with a request to take all action necessary to achieve the objectives of this resolution.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130302 **Date Passed:** April 09, 2013

Resolution supporting Assembly Bill 218, which expands California's existing fair hiring policies for state and public employees to city and county workers statewide, and Assembly Bill 870, which expands California's existing fair hiring policies to private employers that contract with the State.

April 09, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Excused: 1 - Mar

File No. 130302

I hereby certify that the foregoing Resolution was ADOPTED on 4/9/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

4/18/13
Date Approved

Date: April 18, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130302

FILE NO. 130304 RESOLUTION NO. 106-13

[Urging City Departments to Release Data to Help Prevent Towing]

Resolution urging City departments to release data that would enable the development of applications and other tools to help San Francisco residents and visitors avoid getting towed.

WHEREAS, Approximately 150 private vehicles are towed in San Francisco each day, at a cost of more than $450 per tow, not including storage fees; and

WHEREAS, Being towed is one of the most frustrating experiences for San Francisco residents and visitors who drive; and

WHEREAS, Towing should always be considered as an unfortunate means to a necessary policy end, such as ensuring safety or clearing an extra travel lane during peak periods to ease traffic; and

WHEREAS, Though the fees charged to motorists to be towed must be limited to the recovery of the City's towing-related expenditures, exorbitant City costs result in extremely high towing fees; and

WHEREAS, City government should use technology to help motorists avoid being towed; and

WHEREAS, Temporary towing restrictions such as those for special events can be particularly irksome to San Franciscans, many of whom do not move their vehicles every day because they take transit or bike or walk to work or school, and therefore may not see a 72 hour notice of a temporary tow away zone; and

WHEREAS, In 2011, numerous City officials called for the release of data sets, including all temporary towing restrictions, to encourage the development of an application

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that could help notify motorists that their vehicle is parked in a location that could result in a tow; and

WHEREAS, Despite repeated inquiries, little progress has been made toward the release of such data since 2011; and

WHEREAS, Such an application or tool would not necessarily require a smartphone, but could work with only a license plate and any mobile telephone with texting functionality; and

WHEREAS, City Departments such as the Municipal Transportation Agency the Department of Public Works, and the Police Department and their contractors possess data that would help application developers create apps and other tools that could help people avoid being towed; now, therefore, be it

RESOLVED, That the Board of Supervisors urges relevant City departments to release data as soon as possible that will aid in the creation of applications and other tools to help San Francisco residents and visitors avoid being towed.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130304 **Date Passed:** April 09, 2013

Resolution urging City departments to release data that would enable the development of applications and other tools to help San Francisco residents and visitors avoid getting towed.

April 09, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Excused: 1 - Mar

File No. 130304

I hereby certify that the foregoing Resolution was ADOPTED on 4/9/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

4/18/13
Date Approved

Date: April 18, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130304

FILE NO. 130305 RESOLUTION NO. 107-13

[Equal Pay Day - April 9, 2013]

Resolution declaring April 9, 2013 as Equal Pay Day in San Francisco.

WHEREAS, Forty years after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, women and people of color continue to suffer the consequences of inequitable pay differentials; and

WHEREAS, According to statistics released in 2012 by the U.S. Census Bureau, year-round, full-time working women in 2011 earned only 77% of the earnings of year-round, full-time working men, indicating little change or progress in pay equity; and

WHEREAS, According to a January 2002 report released by the General Accounting Office (the investigative arm of Congress), women managers in 7 of 10 industries surveyed, actually lost ground in closing the wage gap between 1995 and 2000; and

WHEREAS, According to an analysis of data in over 300 classifications provided by the U.S. Department of Labor Statistics in 2001, women earn less in every occupational classification for which enough data is available, including occupations dominated by women (e.g., cashiers, retail sales, registered nurses and teachers); and

WHEREAS, Higher education is not free from wage discrimination according to a U.S. Department of Education analysis, reporting that, after controlling for rank, age, credentials, field of study and other factors, full-time female faculty members earn nearly 9% less than their male counterparts; and

WHEREAS, The Commission and Department on the Status of Women have had a long history of strongly supporting pay equity; and

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WHEREAS, Over a working lifetime, this wage disparity costs the average American woman and her family $700,000 to $2 million in lost wages, impacting Social Security benefits and pensions; and

WHEREAS, Fair pay equity policies can be implemented simply and without undue costs or hardship in both the public and private sectors; and

WHEREAS, Fair pay strengthens the security of families today and eases future retirement costs, while enhancing the American economy; and

WHEREAS, April 9, 2013 symbolizes the time in the new year in which the wages paid to American women catch up to the wages paid to men from the previous year; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby proclaims April 9, 2013 as Equal Pay Day in San Francisco and, be it

FURTHER RESOLVED, That that all San Francisco employers are encouraged to recognize the full value of women's skills and significant contributions to the labor force; and, be it

FURTHER RESOLVED, That all San Francisco employers are encouraged to conduct an internal pay evaluation to ensure women are being paid fairly.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130305 **Date Passed:** April 09, 2013

Resolution declaring April 9, 2013, as Equal Pay Day in the City and County of San Francisco.

April 09, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Excused: 1 - Mar

File No. 130305

I hereby certify that the foregoing Resolution was ADOPTED on 4/9/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

4/18/13
Date Approved

Date: April 18, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130305

PREPARED IN COMMITTEE
4/4/13

FILE NO. 120961 RESOLUTION NO. 108-13

[Liquor License - 543-2nd Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Dion Cheng and Rachel Cheng for Zaza Spa, located at 543-2nd Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Dion Cheng and Rachel Cheng are seeking the issuance of a Type 42 on-sale beer and wine public premises license for Zaza Spa, located at 543-2nd Street; and,

WHEREAS, The Planning Department has verified that the area is properly zoned and recommends approval; and,

WHEREAS, The Police Department has filed no protests with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013; and

WHEREAS, The Police Department has recommended that the Department of Alcoholic Beverage Control deny the license; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that the issuance of a Type 42 on-sale beer and wine public premises license to Dion Cheng and Rachel Cheng for Zaza Spa, located at 543-2nd

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Street, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby recommends that the Department of Alcoholic Beverage Control issue the license.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120961 **Date Passed:** April 16, 2013

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Dion Cheng and Rachel Cheng for Zaza Spa, located at 543-2nd Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

March 07, 2013 Neighborhood Services and Safety Committee - CONTINUED TO CALL OF THE CHAIR

April 04, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

April 04, 2013 Neighborhood Services and Safety Committee - RECOMMENDED

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 120961

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/25/13
Date Approved

AMENDED IN COMMITTEE
4/10/13

FILE NO. 121038 RESOLUTION NO. 109-13

[Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]

Resolution approving the acquisition of thirty Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program; adopting findings that the Project is categorically exempt from environmental review under the California Environmental Quality Act Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and Mayor to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.

WHEREAS, The San Francisco International Airport ("SFO") is required by the State of California Noise Standard for Airports (Title 21, California Administrative Code) to eliminate incompatible land uses within the Noise Impact Boundary; and

WHEREAS, Incompatibility with an airport use may be eliminated if the properties are insulated to meet an interior noise standard of 45 decibels and/or the airport proprietor has obtained an Avigation Easement; and,

WHEREAS, The Avigation Easements will be acquired from various property owners in exchange for soundproofing of properties as part of the Project; and,

WHEREAS, On April 3, 2012, the San Francisco Airport Commission by Resolution No. 12-0077, a copy of which Resolution is on file with the Clerk of the Board of Supervisors under File No. 121038, and which Resolution is incorporated herein by this reference, approved the Project and authorized the request for Board of Supervisors acceptance and recordation of said Easements; and,

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WHEREAS, The Director of Planning, by letter dated May 9, 2012, found that the acquisition of the Avigation Easements is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1 and has determined that the proposed easement acquisition is categorically exempt from environmental review under CEQA Class 1: Existing Facilities, which letter is on file with the Clerk of the Board of Supervisors under File No. 121038, and which letter is incorporated herein by this reference; and,

WHEREAS, The copies of the Grant of Avigation Easements ("Easement Agreements") between the City and the various property owners are on file with the Clerk of the Board of Supervisors in File No. 121038, which is incorporated herein by this reference; therefore, be it

RESOLVED, That the Board of Supervisors adopts the findings as stated in the May 9, 2012, letter from the Director of Planning; and, be it

FURTHER RESOLVED, That in accordance with the recommendations of the San Francisco Airport Commission and the Director of Property, the Board of Supervisors hereby approves the Easement Agreements and the transaction contemplated thereby in substantially the form of such easement agreements presented to this Board; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to enter into any additions, amendments or other modifications to the Easement Agreements (including, without limitation, the attached exhibits) that the Director of Property determines are in the best interest of the City, that do not materially increase the obligations or liabilities of the City, and are necessary or advisable to complete the transactions contemplated in the Easement Agreements and effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property of the Easement Agreements and any amendments thereto; and, be it

FURTHER RESOLVED, That the Director of Property and Mayor are hereby authorized and urged, in the name and on behalf of the City and County, to accept the deeds to the easements from the grantors with the terms and conditions of the Easement Agreements, and to take any and all steps (including, but not limited to, the execution and delivery of any and all certificates, agreements, notices, escrow instructions, closing documents and other instruments or documents) as the Director of Property deems necessary or appropriate in order to consummate the acquisition of the easements pursuant to the Easement Agreement, or to otherwise effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property of any such documents; and, be it

FURTHER RESOLVED, All actions heretofore taken by the Director of Property with respect to the matters addressed in this Resolution are hereby approved, confirmed and ratified.

RECOMMENDED:

See File for Signature

John Martin
Airport Director

See File for Signature

John Updike
Director of Property

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121038 **Date Passed:** April 16, 2013

Resolution approving the acquisition of thirty Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program; adopting findings that the project is categorically exempt from environmental review under the California Environmental Quality Act Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and Mayor to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

April 10, 2013 Budget and Finance Sub-Committee - AMENDED

April 10, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 121038

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/23/13
Date Approved

PREPARED IN COMMITTEE
4/4/13

FILE NO. 121082 **RESOLUTION NO.** 110-13

[Liquor License - 57 New Montgomery Street]

Resolution determining that the issuance of a Type 21 off-sale general license to Mokles S. Hanna for F.M. Smokes and Wines, Inc., located at 57 New Montgomery Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Mokles S. Hanna is seeking the issuance of a Type 21 off-sale general license for F.M. Smokes and Wines, located at 57 New Montgomery Street; and,

WHEREAS, The Planning Department has verified that the area is properly zoned and recommends approval; and,

WHEREAS, The Police Department has filed no protests with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013; and recommends that the Department of Alcoholic Beverage Control issue the liquor license with conditions; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 8:00 AM and 12:00 AM (midnight) each day of the week; 2) No distilled spirits shall be sold in bottles or containers smaller than 375 milliliters; 3) No wine shall be sold with an alcoholic content greater than 15% by volume; 4) No malt beverage shall be sold with the alcohol content greater than 5.7% by volume;

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5) No noise shall be audible beyond the area under control of the licensee; 6) Loitering (defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257, dated October 19, 2012; 7) There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages, sold, furnished, or given away at the petitioner's premises in quantities of less than twenty-four (24) in their original multi-container package; 8) All ice shall be sold at or above prevailing prices in the area and in quantities of not less than three (3) pounds per sale and shall not be given away free; 9) No person under the age of 21 shall sell or deliver alcoholic beverages; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that the issuance of a Type 21 off-sale general license to Mokles S. Hanna for F.M. Smokes and Wines, located at 57 New Montgomery Street, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses and adopts the recommendations of the Police Department listed above, and recommends that the Department of Alcoholic Beverage Control issue the license with those conditions.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121082 **Date Passed:** April 16, 2013

Resolution determining that the issuance of a Type 21 off-sale general license to Mokles S. Hanna for F.M. Smokes and Wines, Inc., located at 57 New Montgomery Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

March 21, 2013 Neighborhood Services and Safety Committee - CONTINUED TO CALL OF THE CHAIR

April 04, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

April 04, 2013 Neighborhood Services and Safety Committee - RECOMMENDED

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 121082

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/23/13
Date Approved

PREPARED IN COMMITTEE
3/21/13

FILE NO. 130033 RESOLUTION NO. 111-13

[Liquor License - 555 Howard Street, #102]

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Steven Chen for SharChen Golf, Inc., dba Eagle Club Indoor Golf, located at 555 Howard Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Steven Chen is seeking the issuance of a Type 42 on-sale beer and wine license for SharChen Golf, Inc., dba Eagle Club Indoor Golf, located at 555 Howard Street, #102; and,

WHEREAS, The Planning Department has verified that the area is properly zoned and recommends approval; and,

WHEREAS, The Police Department has filed one (1) protests with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control issue the liquor license with conditions; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. to12:00 a.m. (midnight) Sunday through Wednesday and 10:00 a.m. to 2:00 a.m. Thursday through Saturday; 2) No noise shall be audible beyond the area under control of the licensee as depicted on ABC-257; 3) The sale of alcoholic beverages for consumption off the premises is strictly prohibited;

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4) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-257; 5) Loitering (defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257 dated October 19, 2012; 6) Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72 hours following the beginning of the next weekday; 7) The interior lighting maintained therein shall be sufficient to make easily discernible the appearance and conduct of all persons and patrons in that portion of the premises where alcoholic beverages are sold, served, delivered, or consumed; 8) The exterior of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the premises. Additionally, the position of such light shall not disturb the normal privacy and use of any neighboring residences; and 9) The petitioner shall utilize electronic surveillance and recording equipment that is able to view the outside of the premises, including all entrances and exits, and that is actively monitored and recorded. The electronic surveillance shall be utilized during operating hours. Said electronic recording shall be kept at least 30 days and shall be made available to the Department or Police Department upon demand; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines for the foregoing reasons that the issuance of a Type 42 on-sale beer and wine license to Steven Chen for SharChen Golf, Inc., dba Eagle Club Indoor

Golf, located at 555 Howard Street, #102, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses and adopts the recommendations of the Police Department listed above, and recommends that the Department of Alcoholic Beverage Control issue the license with those conditions.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130033 **Date Passed:** April 16, 2013

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Steven Chen for SharChen Golf, Inc., dba Eagle Club Indoor Golf, located at 555 Howard Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

March 21, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

March 21, 2013 Neighborhood Services and Safety Committee - RECOMMENDED

April 02, 2013 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130033

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/23/13
Date Approved

PREPARED IN COMMITTEE
4/4/13

FILE NO. 130067 **RESOLUTION NO.** 112-13

[Liquor License Transfer - 500 Laguna Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 201 Leland Avenue to 500 Laguna Street (District 5), to Krista Avery and Manuel Bargiela for O Camino, dba Nosa Ria, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Krista Avery and Manuel Bargiela are seeking the transfer of a Type 21 off-sale general license from 201 Leland Avenue to 500 Laguna Street for O Camino, dba Nosa Ria; and,

WHEREAS, The Planning Department has verified that the area is properly zoned and recommends approval; and,

WHEREAS, The Police Department has filed one (1) protest with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control issue the liquor license with conditions; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) Sales, service and consumption of alcoholic beverages shall be permitted between the hours of 11:00 a.m. to 9:00 p.m. each day of the week; 2) No noise shall be audible beyond the area under control of the licensee as depicted on ABC-257; 3) Loitering (defined as "to stand idly about; linger aimlessly without lawful business") shall be prohibited on any sidewalks or property adjacent to the licensed premises

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under the control of the licensee(s) as depicted on the ABC-257 dated October 19, 2012; 4) The exterior of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the premises. Additionally, the position of such light shall not disturb the normal privacy and use of any neighboring residences; 5) No person under the age of 21 shall sell or deliver alcoholic beverages; 6) The sale of distilled spirits in sizes smaller than 200 ml shall be strictly prohibited; 7) No sales of malt liquors or ice beers; 8) Beer, malt beverages, and wine coolers of 16oz. or less shall not be sold in single containers, and must be sold in manufacturers pre-packaged multi-unit quantities; 9) No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more; 10) Wine shall not be sold in bottles or containers smaller than 750 ml; and 11) The petitioner shall utilize electronic surveillance and recording equipment that is able to view the outside of the premises, including all entrances and exits, and that is actively monitored and recorded. The electronic surveillance shall be utilized during operating hours. Said electronic recording shall be kept at least 30 days and shall be made available to the Department or Police Department upon demand; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines for the foregoing reasons that the transfer of a Type 21 off-sale general license from 201 Leland Avenue to 500 Laguna Street to Krista Avery and Manuel Bargiela for O Camino, dba Nosa Ria, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses and adopts Police Department recommendations one

through 10, listed above, but does not endorse or adopt condition 11 (requiring electronic surveillance), and recommends that the Department of Alcoholic Beverage Control issue the license without condition 11.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130067 **Date Passed:** April 16, 2013

Resolution determining that the transfer of a Type 21 off-sale general license from 201 Leland Avenue to 500 Laguna Street (District 5), to Krista Avery and Manuel Bargiela for O Camino, dba Nosa Ria, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

April 04, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

April 04, 2013 Neighborhood Services and Safety Committee - RECOMMENDED

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130067

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/23/13
Date Approved

FILE NO. 130069 RESOLUTION NO. 113-13

[Liquor License - 820-26th Street]

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Cesar Ascarrunz for Cesar's Ballroom, located at 820-26th Street (District 10), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Cesar Ascarrunz is seeking the issuance of a Type 42 on-sale beer and wine license for Cesar's Ballroom, located at 820-26th Street; and,

WHEREAS, The Planning Department has verified that the area is properly zoned and recommends approval; and,

WHEREAS, The Police Department has filed one protest with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control issue the liquor license with conditions; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) Sales, service and consumption of alcoholic beverages shall be permitted between the hours of 7:00 PM until 12:00 AM (midnight) Sunday through Thursday and 7:00 PM until 2:00 AM Friday and Saturday; 2) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control; 3) Loitering (defined as "to stand idly about, linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the

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control of the licensee as depicted on the ABC-257; 4) Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti with 72 hours following the beginning of the next weekday; 5) The exterior of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the premises. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences; 6) No noise shall be audible beyond the area under the control of the licensee as depicted on ABC-257; 7) The interior lighting maintained therein shall be sufficient to make easily discernible the appearance and conduct of all persons and patrons in that portion of the premises where alcoholic beverages are sold, served, delivered or consumed; 8) This license shall not be exchanged for an on-sale general alcohol license; 9) The petitioner shall utilize electronic surveillance and recording equipment that is able to view the outside of the premises, including all entrances and exits, and that is actively monitored and recorded. This electronic surveillance shall be utilized during operating hours. Said electronic recording shall be kept at least 30 days and shall be made available to the Department and police department upon demand; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that the issuance of a Type 42 on-sale beer and wine license to Cesar Ascarrunz for Cesar's Ballroom, located at 820-26th Street, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses and adopts the recommendations of the Police

Department listed above, and recommends that the Department of Alcoholic Beverage Control issue the license with those conditions.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130069 **Date Passed:** April 16, 2013

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Cesar Ascarrunz for Cesar's Ballroom, located at 820-26th Street (District 10), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958 4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

April 04, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

April 04, 2013 Neighborhood Services and Safety Committee - RECOMMENDED

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130069

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/23/13
Date Approved

FILE NO. 130220 RESOLUTION NO. 114-13

[Settlement of Claim – Roman Carrasco]

Resolution approving the settlement of the unlitigated claim filed by Roman Carrasco against San Francisco for $42,000; claim was filed on August 1, 2012;

WHEREAS, Roman Carrasco has filed a claim on August 1, 2012 against the City and County of San Francisco for personal injuries; and

WHEREAS, The Department of Public Works of the City and County of San Francisco has recommended settlement of said claim by payment of $42,000.

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $42,000 is hereby approved.

APPROVED:

DENNIS J. HERRERA
City Attorney

See File for Signature
MATTHEW ROTHSCHILD
Chief of Claims Division

FUNDS AVAILABLE:

See File for Signature
BENJAMIN ROSENFIELD
Controller

RECOMMENDED:

Department of Public Works

See File for Signature
Mohammed Nuru
Director of Public Works

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City and County of San Francisco
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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130220 **Date Passed:** April 16, 2013

Resolution approving the settlement of the unlitigated claim filed by Roman Carrasco against the City and County of San Francisco for $42,000; claim was filed on August 1, 2012.

April 04, 2013 Rules Committee - RECOMMENDED..

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130220

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/23/13
Date Approved

AMENDED IN COMMITTEE
4/10/13

FILE NO. 130228 RESOLUTION NO. 115-13

[Ten-Year Capital Expenditure Plan - FY 2013-2014 through FY2022-2023]

Resolution adopting the City's ten-year capital expenditure plan for FY 2013-2014 through FY2022-2023 pursuant to Administrative Code Section 3.20.

WHEREAS, This Board of Supervisors (the "Board") of the City and County of San Francisco (the "City") adopted Ordinance No. 216-05 (the "Capital Planning Ordinance") amending San Francisco Administrative Code sections 3.20 and 3.21 to authorize the formation of a Capital Planning Committee (the "Committee") and the annual preparation and adoption of a ten-year capital expenditure plan for the City, including an assessment of the City's capital infrastructure needs, investments required to meet the needs identified through this assessment, and a plan of finance to fund these investments; and

WHEREAS, The Capital Planning Ordinance requires that the ten-year capital expenditure plan include all major planned investments to maintain, repair, and improve the condition of the City's capital assets, including but not limited to, City streets, sidewalks, parks, and rights-of-way; public transit infrastructure; airport and port; water, sewer, and power utilities; and all City-owned facilities; and

WHEREAS, The Capital Planning Ordinance further requires that the ten-year capital expenditure plan include a plan of finance for all recommended investments, including the proposed uses of general and enterprise funds to be spent to meet these requirements; and the use and timing of long-term debt to fund planned capital expenditures, including general obligation bond measures; and

WHEREAS, The Capital Planning Ordinance establishes March 1 as the target date for the City Administrator's submission of the annual ten year capital plan to the Mayor of the City

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and the Board, and called for the Mayor and the Board to review, update, amend and adopt the ten year capital plan by May 1 of each year; and

WHEREAS, The Committee has held numerous public hearings and worked with City staff to develop a ten-year capital expenditure plan meeting the requirements of the Capital Planning Ordinance; and

WHEREAS, In developing the capital plan staff considered numerous policy questions including, among other matters, how to (i) manage needed capital expenditure requirements with limited annual discretionary funds ; (ii) manage the scheduling of future General Obligation bonds to address citywide capital needs without increasing the property tax rate beyond Fiscal Year 2006 levels; and (iii) deliver priority capital projects without increasing the percentage of the General Fund spent on debt service; and

WHEREAS, At the February 25, 2013 meeting the Committee unanimously adopted the ten-year capital plan for fiscal years 2014-2023 and approved it for submission to the Mayor and the Board for its consideration (as so adopted, the "Capital Plan"); and,

WHEREAS, The Capital Plan and the City Administrator's transmittal letter are on file with the Clerk of the Board of Supervisors in File No. 130228, which is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That the above recitals are true and correct; and, be it

FURTHER RESOLVED, That the Capital Planning Committee will submit transit related amendments to the Capital Plan to the Board of Supervisors for approval following the issuance of final recommendations by the Transportation Task Force with an increase to the proposed transit reliability bond if that increase will not increase property taxes above 2006 levels; and, be it

FURTHER RESOLVED, That this Board has reviewed the Capital Plan; and, be it

FURTHER RESOLVED, That this Board hereby adopts the Capital Plan, with such amendments and revisions as this Board has adopted, as the City's ten-year capital expenditure plan for purposes of the Capital Planning Ordinance.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130228 **Date Passed:** April 16, 2013

Resolution adopting the City's Ten-Year Capital Expenditure Plan for FY2013-2014 through FY2022-2023 pursuant to Administrative Code, Section 3.20.

April 10, 2013 Budget and Finance Committee - AMENDED

April 10, 2013 Budget and Finance Committee - RECOMMENDED AS AMENDED

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130228

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/23/13
Date Approved

FILE NO. 130230 RESOLUTION NO. 116-13

[5-Year Information and Communication Technology Plan - FY 2013-2014 through 2017-2018]

Resolution adopting the City's 5-Year Information and Communication Technology Plan for FYs 2013-2014 through 2017-2018 pursuant to San Francisco Administrative Code Section 22A.6.

WHEREAS, San Francisco Administrative Code Section 22A.6 requires the Committee on Information and Communication Technology (COIT) to submit and the Mayor and the Board of Supervisors to review, amend and adopt in odd-numbered years a five-year ICT plan; and

WHEREAS, COIT reviewed and unanimously approved the City's second five-year ICT plan at its meeting held on February 28, 2013; and

WHEREAS, COIT-approved ICT plan outlines guiding priorities the City will focus on in the next five years, outlines a financial strategy to fund these technology needs and lists the currently planned technology projects for each department over the next five years; and

WHEREAS, The plan details four strategic IT goals in order to align available resources and the identified department and citywide IT project requests over the next five years; now therefore be it

RESOLVED, That the Board of Supervisors adopts COIT's proposed information and communication technology plan, with such amendments and revisions as the Board deems appropriate, as the City's five-year ICT plan for Fiscal Years 2013-2014 through 2017-18, as provided in San Francisco Administrative Code Section 22A.6.

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City and County of San Francisco
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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130230 **Date Passed:** April 16, 2013

Resolution adopting the City's 5-Year Information and Communication Technology Plan for FY2013-2014 through FY2017-2018 pursuant to Administrative Code, Section 22A.6.

April 10, 2013 Budget and Finance Committee - RECOMMENDED

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130230

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/23/13
Date Approved

[Issuance of Tax-Exempt Obligations - Progress Foundation - Not to Exceed $9,000,000]

Resolution approving the issuance of tax-exempt obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed $9,000,000 to finance and refinance various capital facilities owned by Progress Foundation.

WHEREAS, Progress Foundation, a California nonprofit corporation (the "Borrower") has requested that the California Enterprise Development Authority, a joint exercise of powers agency established pursuant to the laws of the State of California (the "Authority") issue its tax-exempt obligations (the "Obligations"), in an aggregate principal amount not expected to exceed $9,000,000, for the purpose of making from time to time one or more loans to the Borrower pursuant to a plan of financing for various capital facilities as more fully described below; and

WHEREAS, The City and County of San Francisco (the "City") is a member of the Authority; and

WHEREAS, The Borrower expects to use the proceeds of the Obligations to: (i) refinance outstanding indebtedness incurred by the Borrower, the proceeds of which were used to finance and refinance the cost of the acquisition, construction, installation, rehabilitation, equipping and furnishing of mental health treatment and rehabilitation facilities located at 368 Fell Street, San Francisco, California 94102, 25 Beulah Street, San Francisco, California 94117, 212 Ashbury Street, San Francisco, California 94117, 2210 Clay Street, San Francisco, California 94115, 1443 7th Avenue, San Francisco, California 94122, 405 Baker Street, San Francisco, California 94117 and 50-54 Dore Street, San Francisco, California

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94103 (collectively, the "Facilities"), and (ii) pay certain costs of issuance in connection with the Obligations; and

WHEREAS, The Facilities will be owned and operated by the Borrower and used in connection with the Borrower's tax-exempt mission of providing community-based residential treatment and supported housing programs as alternatives to institutional treatment for individuals with mental disabilities and for the management and administration of such programs; and

WHEREAS, The issuance of the Obligations shall be subject to the approval of and execution by the Authority of all financing documents relating thereto to which the Authority is a party; and

WHEREAS, The Facilities are located wholly within the City; and

WHEREAS, The interest on the Obligations may qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") only if the Obligations are approved in accordance with Section 147(f) of the Code; and

WHEREAS, The Board of Supervisors of the City (the "Board") is the elected legislative body of the City and is the applicable elected representative required to approve the issue within the meaning of Section 147(f) of the Code; and

WHEREAS, The Authority has requested the Board to approve the issuance of the Obligations in order to satisfy the public approval requirements of Section 147(f) of the Code; and

WHEREAS, On February 28, 2013, the City caused a notice to appear in the *San Francisco Chronicle*, which is a newspaper of general circulation in the City, stating that a public hearing with respect to the issuance of the Obligations would be held by the City's Office of Public Finance on March 14, 2013; and

WHEREAS, The Office of Public Finance held the public hearing described above on March 14, 2013, and an opportunity was provided for persons to comment on the issuance of the Obligations and plan of financing; and

WHEREAS, The Director of Public Finance recommends approval of the issuance of the Obligations pursuant to Chapter 43, Article 9, Section 5 of the Administrative Code; now, therefore be it

RESOLVED, That this Board hereby finds and declares the above recitals are true and correct; and, be it

FURTHER RESOLVED, That this Board hereby approves the issuance of the Obligations by the Authority; and, be it

FURTHER RESOLVED, That it is the purpose and intent of this Board that this Resolution constitutes approval of the issuance of the Obligations by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Facilities are located for the purposes of and in accordance with Section 147(f) of the Code; and be it

FURTHER RESOLVED, That the approval of the issuance of the Obligations by the City is neither an approval of the underlying credit of the Borrower or the Facilities nor an approval of the financial structure of the Obligations; and neither the City, nor any department thereof, shall have no responsibility or liability whatsoever with respect to the Obligations or the Facilities; and, be it

FURTHER RESOLVED, That the Obligations shall not constitute a debt or obligation of the City and the payment of the principal, prepayment premium, if any, and purchase price of and interest on the Obligations shall be solely the responsibility of the Borrower; and be it

FURTHER RESOLVED, That adoption of this Resolution shall not obligate (i) the City to provide financing to the Borrower for the acquisition, rehabilitation and development of the Facilities or to issue the Obligations for purposes of such financing; (ii) make any contribution

or advance any funds to the Authority; or (iii) the City, or any department of the City, to approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other regulatory action sought in connection with the Facilities; and be it

FURTHER RESOLVED, That this Resolution shall take effect immediately upon its adoption.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
Mark D. Blake
Deputy City Attorney
n:\financ\as2013\1300182\00834889.doc

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130287 **Date Passed:** April 16, 2013

Resolution approving the issuance of tax-exempt obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed $9,000,000 to finance and refinance various capital facilities owned by Progress Foundation.

April 10, 2013 Budget and Finance Sub-Committee - RECOMMENDED

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130287

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

Mayor

4/23/13

Date Approved

AMENDED IN BOARD
04/16/13

FILE NO. 130301 RESOLUTION NO. 118-13

[Approval to Grant Subsurface Easement for Tiebacks - Chinese Hospital Replacement Project - Assessor's Parcel Number Block 192, Lot 035]

Resolution approving the grant of a Tieback Subsurface Easement on Assessor's Parcel Number Block 192, Lot 035, to the Chinese Hospital Association required for the Chinese Hospital Replacement Project; adopting findings that the grant of subsurface easement is consistent with the General Plan and priority policies of Planning Code, Section 101.1; and environmental findings; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.

WHEREAS, The Chinese Hospital Association, the project sponsor, ("Grantee") proposes to demolish the original Chinese Hospital built in 1924 and construct a replacement hospital building located at 835-845 Jackson Street ("Replacement Hospital") in the City and County of San Francisco; and,

WHEREAS, In order to prevent cave-in of the surrounding soils around the perimeter of the construction excavation site, a shoring system using soldier piles and tiebacks will be drilled through the shoring walls and anchored into the soil of adjacent properties; and,

WHEREAS, Grantee will acquire a subsurface easement to place tiebacks ("Easement") on the Property owned in fee by the City and County of San Francisco ("Grantor" or "City") and under the jurisdiction of the San Francisco Unified School District.; and,

WHEREAS, Grantee will pay City $2,500 for the Easement and up to $5,000 for reimbursement of reasonable fees in connection with preparation and review of Grant of Easement and Agreement ("Easement Agreement"); and,

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WHEREAS, Said compensation from Grantee is determined to be reflective of fair market value, and a negotiated direct conveyance furthers the public purpose of improving health care to the citizens of San Francisco; and,

WHEREAS, The Property is presently improved with a surface parking lot and related improvements; and,

WHEREAS, ~~The City Planning Department analyzed the project and adopted findings pursuant to the California Environment Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA"), particularly Section 21081 and 21081.5, the Guidelines for Implementation of CEQA, 14 California Code of Regulations Section 15000 et seq. ("Guidelines"), particularly Section 15091 through 15093 and Chapter 31 of the Administrative Code through Planning Commission Motion 18661 on July 12, 2012. Said Motion is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference; and,~~ On July 12, 2012 , the Planning Commission certified, by Motion No.18660, the Final Environmental Impact Report for the 835-845 Jackson Street Chinese Hospital Replacement Project ("Final EIR"), finding that the Final EIR complied with the California Environmental Quality Act ("CEQA") (California Public Resources Code Sections 21000 et seq.), the CEQA Guidelines (California Code of Regulations, title 14, Sections 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code. By Motion No. 18661, the Planning Commission adopted CEQA Findings, including a statement of overriding consideration, and adopted a Mitigation Monitoring and Reporting Program ("MMRP") for the Project; and

WHEREAS, On September 11, 2012, this Board approved the Project, by Ordinance No. 193-12, and in so doing, incorporated by reference and adopted as its own the CEQA Findings set forth in Planning Commission Motion No. 18661, and adopted the MMRP, all of which can be found in Board File No. 120753; and

WHEREAS, This Board finds that the actions contemplated under this Resolution are within the scope of the Project analyzed in the Final EIR. Since the certification of the Final EIR, no changes have occurred with respect to the Project or the circumstances surrounding the Project, and no new information has been put forward that would result in new significant environmental impacts not adequately analyzed in the Final EIR, cause a substantial increase in impacts previously identified in the Final EIR, or require additional review under CEQA prior to the approval of this Resolution and execution of the Easement Agreement; and

WHEREAS, The Director of Planning, by letter dated March 29, 2013, found that the grant of subsurface easement is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, which letter is on file with the Clerk of the Board of Supervisors under File No. 130301, and which letter is incorporated herein by this reference; and

WHEREAS, A copy of the Easement Agreement between the City and the Chinese Hospital Association is on file with the Clerk of the Board of Supervisors in File No. 130301, which is incorporated herein by this reference; now, therefore, be it

RESOLVED, That the Board of Supervisors again adopts and incorporates by reference as though fully set forth here the CEQA Findings, including the statement of overriding considerations and the MMRP, set forth in Planning Commission Motion No. 18661 and Board Ordinance No. 193-12; and, be it

FURTHER RESOLVED, That in accordance with the recommendation of the Director of Property, the Board of Supervisors hereby approves the Easement Agreement and the transaction contemplated thereby in substantially the form of such Easement Agreement presented to this Board; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to enter into any additions, amendments or other modifications to the Easement

Agreement (including, without limitation, the attached exhibits) that the Director of Property determines are in the best interest of the City, that do not materially increase the obligations or liabilities of the City, and are necessary or advisable to complete the transactions contemplated in the Easement Agreement and effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property of the Easement Agreement and any amendments thereto; and, be it

FURTHER RESOLVED, That the Director of Property is hereby authorized and urged, in the name and on behalf of the City and County, to deliver the deed to the easement to the Grantee pursuant to the terms and conditions of the Easement Agreement, and to take any and all steps (including, but not limited to, the execution and delivery of any and all certificates, agreements, notices, escrow instructions, closing documents and other instruments or documents) as the Director of Property deems necessary or appropriate in order to consummate the transaction pursuant to the Easement Agreement, or to otherwise effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property of any such documents; and, be it

FURTHER RESOLVED, All actions heretofore taken by the Director of Property with respect to the matters addressed in this Resolution are hereby approved, confirmed and ratified.

John Updike
Director of Property

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130301 **Date Passed:** April 16, 2013

Resolution approving the grant of a Tieback Subsurface Easement on Assessor's Parcel Block No. 192, Lot No. 035, to the Chinese Hospital Association required for the Chinese Hospital Replacement Project; adopting findings that the grant of subsurface easement is consistent with the General Plan and the priority policies of Planning Code, Section 101.1, and environmental findings; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

April 08, 2013 Land Use and Economic Development Committee - RECOMMENDED..

April 16, 2013 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 16, 2013 Board of Supervisors - ADOPTED AS AMENDED
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130301

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/23/13
Date Approved

AMENDED IN BOARD
04/16/13

FILE NO. 130320 RESOLUTION NO. 119-13

[The Year of the Child - 2013]

Resolution declaring 2013 as "The Year of the Child" in the City and County of San Francisco.

WHEREAS, California is home to 9.5 million children, from infants and toddlers to school-agers and teens who constitute the future of our state; and

WHEREAS, According to the 2010 Census, children make up 13.5 percent of the population of San Francisco; and

WHEREAS, It is imperative that policymakers prioritize California's children and consider the impact legislation has on our children; and

WHEREAS, California voters approved Proposition 10 in 1998, investing First 5 California and 58 County First 5 Commissions with the responsibility to lead communities in expanding early developmental and school readiness services and improving systems for children ages zero to five and their families; and

WHEREAS, Each First 5 Commission, California State Preschool, and local Head Start program works in partnership with county Board of Supervisors and other public and non-profit agencies to address the needs of children and their families, and

WHEREAS, California counties share this dedication to the general well-being of our children, who cannot vote, lobby, or advocate, and are dependent on the adults of today for their well-being; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors joins the California State Association of Counties, First 5 Commissions, California State Preschools, Head Start programs, elected officials across the state, and community partners in recognizing the critical

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importance of providing adequate services to our children as we proclaim 2013 as "The Year of the Child" in the City and County of San Francisco.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130320 **Date Passed:** April 16, 2013

Resolution declaring 2013 as "The Year of the Child" in the City and County of San Francisco.

April 16, 2013 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 16, 2013 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130320

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

4/23/13
Date Approved

Date: April 23, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130320

FILE NO. 130339 RESOLUTION NO. 120-13

[Tia Margarita Restaurant Day - April 20, 2013]

Resolution declaring April 20, 2013, as Tia Margarita Restaurant Day and recognizing its 50th anniversary in the City and County of San Francisco.

WHEREAS, The Tia Margarita Restaurant was founded in 1963, and serves the citizens of the Richmond District and San Francisco, conducting continuously as a family owned business at its original location at the corner of 19th Avenue and Clement Street for 50 years; and

WHEREAS, The patrons of the restaurant have established life-long friendships, marriages and prosperous families in a welcoming environment that upholds community values and civic engagement; and

WHEREAS, During the span of five decades, the venue has demonstrated responsible local business practices, bestowing upon multiple generations the opportunity to experience the vibrant culture of our local neighborhoods; and

WHEREAS, On Saturday, April 20, 2013, the Tia Margarita Restaurant will be hosting a private 50th Year Anniversary Celebration; and

WHEREAS, At the Celebration, staff and patrons will posthumously recognize original Founders, Virginia and Alex Hobbs, and current owner and daughter, Helen Hobbs; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco commends and congratulates the founders, staff and patrons of the Tia Margarita Restaurant on their 50th Year Anniversary, and be it

FURTHER RESOLVED, That the Board of Supervisors declares April 20, 2013, Tia Margarita Restaurant Day in the City and County of San Francisco

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City and County of San Francisco
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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130339 **Date Passed:** April 16, 2013

Resolution declaring April 20, 2013, as Tia Margarita Restaurant Day and recognizing its 50th anniversary in the City and County of San Francisco.

April 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130339

I hereby certify that the foregoing Resolution was ADOPTED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

4/23/13
Date Approved

Date: April 23, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130339

FILE NO. 130235 RESOLUTION NO. 121-13

[Urging the Municipal Transportation Agency to Implement a Full-Scale Bike Sharing Program by 2014]

Resolution urging the Municipal Transportation Agency to implement a full-scale bike sharing program by 2014.

WHEREAS, In 2010, the San Francisco Board of Supervisors adopted a goal that 20% of all trips be conducted by bicycle by 2020; and

WHEREAS, A key goal of the SFMTA Strategic Plan is to make transit, walking, bicycling, taxi, ridesharing, and carsharing the preferred means of travel in San Francisco; and

WHEREAS, Bike sharing systems are a proven transportation option already popular in cities in Asia, Europe, Latin America and the United States with demonstrated success at increasing levels of cycling; and

WHEREAS, Bike sharing systems are most successful in dense, urban places with a prevalence of short trips and extensive public transit, such as in San Francisco; and

WHEREAS, Bike share systems are proven to extend the reach of transit and free up seats on overcrowded buses and trains, with 98% of respondents to a study of North American cities with bike sharing by the Mineta Transportation Institute agreeing that bike sharing is an enhancement to the local public transit system and over 75% of respondents agreeing that bike sharing has improved the connectivity of their city's transit system; and

WHEREAS, Bike share systems are proven to create local jobs; and

WHEREAS, Bike sharing systems are shown to fuel local economies by spurring more trips to local shops and institutions, including in the Washington, D.C. metro region where a recent study found that 44% of respondents used bike share to make at least one trip in a

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month that they would not have made if bike share had not been available, almost all of which were for shopping, eating and entertainment; and

WHEREAS, A study of the Minneapolis bike share program found that on average, each bike share trip generated $7 for the local economy; and

WHEREAS, The density of stations is the biggest driver of the success of bike sharing programs, where the industry benchmark is one station every 900 feet, and New York City is planning for a broad rollout in keeping with this benchmark; and

WHEREAS, New York City is planning a roll-out of 300 stations and 5,500 bikes; and

WHEREAS, Chicago is planning a roll-out of 400 stations and 4,000 bikes; and

WHEREAS, Portland is planning a roll-out of 75 stations and 750 bikes; and

WHEREAS, The City and County of San Francisco is participating in a $7-million dollar regional pilot in 2013 to test bike sharing in cities of varying sizes and population densities that will include an initial 35 stations and 350 bikes, concentrated in the downtown neighborhoods from Mid-Market to the Embarcadero; and

WHEREAS, The Washington, D.C. and Boston metropolitan regions have shown that bike sharing systems can begin in core urban areas and extend over time to the adjoining region; and

WHEREAS, Installation of bike sharing stations can be fast and easy, requiring no digging or roadwork, and instead using solar power and wireless technology; and

WHEREAS, Bike sharing systems can be equipped with GPS and other wireless technologies that provide opportunities for open data sharing for direct public system analysis; and

WHEREAS, New York City and other major U.S. cities plan to launch large-scale bike sharing systems with no public funding; now, therefore, be it

RESOLVED, That the Board of Supervisors urges the Municipal Transportation Agency to launch a full-scale bike sharing system in San Francisco in 2014, building off of the initial pilot; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Municipal Transportation Agency to engage in a thorough public process for selecting bike sharing station locations; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Municipal Transportation Agency to ensure equitable access to jobs created through a full-scale bike share system and to the system itself; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Municipal Transportation Agency to support the bike sharing system with a continuously enhanced network of safe and comfortable bikeways welcoming to everyone in the city.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 130235 **Date Passed:** April 23, 2013

Resolution urging the Municipal Transportation Agency to implement a full-scale bike sharing program by 2014.

April 15, 2013 Land Use and Economic Development Committee - RECOMMENDED..

April 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130235

I hereby certify that the foregoing Resolution was ADOPTED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

May 1, 2013
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

for

Angela Calvillo
Clerk of the Board

FILE NO. 130187 RESOLUTION NO. 122-13

[Annual Fundraising Drive - 2013]

Resolution designating those agencies qualified to participate in the 2013 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

WHEREAS, Administrative Code Section 16.93-4 requires that by May 1st of each year, the Board of Supervisors, by resolution, shall designate those agencies that qualify to participate in the City's Annual Fundraising Drive for that year; and,

WHEREAS, The agencies referred to below have each submitted an application for participation in the 2013 Annual Fundraising Drive; and,

WHEREAS, Applicants are qualified to participate in the Annual Fundraising Drive if they meet the requirements contained in Administrative Code Section 16.93-2; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco finds that applicants who participate in the City's Annual Fundraising Drive must meet the following criteria contained in Administrative Code Section 16.93-2:

1. An applicant must be a federated agency representing 10 or more charitable organizations, of which at least 50 percent shall represent organizations located in the counties of San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, and Marin;
2. The federated agency must certify to the Board that the Internal Revenue Service has determined that contributions to all of the represented charitable organizations are tax deductible;

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3. The federated agency must have been in existence with 10 or more qualified charities for at least one year prior to the date of application and provide satisfactory evidence to that effect at the time of filing an application with the Board;
4. The federated agency must submit its most recent certified audit at the time of filing an application with the Board;
5. The federated agency must submit an application to the Board that includes all information that may be relevant to the criteria listed above; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby finds and determines that the requirements of Administrative Code Section 16.93-2 have been met by the following applicants:

Asian Pacific Fund; Bay Area Black United Fund; Local Independent Charities of America; EarthShare California; Global Impact; United Way of the Bay Area; Community Health Charities California; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby designates the following agencies as agencies that qualify to participate in the City's Annual Fundraising Drive for 2013:

Asian Pacific Fund; Bay Area Black United Fund; Local Independent Charities of America; EarthShare California; Global Impact; United Way of the Bay Area; Community Health Charities California; and, be it

FURTHER RESOLVED, That the designated agencies shall fulfill all obligations and responsibilities required of participants in the City's Annual Fundraising Drive.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130187 **Date Passed:** April 23, 2013

Resolution designating those agencies qualified to participate in the 2013 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

April 17, 2013 Budget and Finance Sub-Committee - RECOMMENDED

April 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130187

I hereby certify that the foregoing Resolution was ADOPTED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/30/13
Date Approved

AMENDED IN BOARD
4/23/13

FILE NO. 130264 RESOLUTION NO. 123-13

[Adoption of Guidelines for the Establishment and Use of an Infrastructure Financing District on Port Land]

Resolution adopting Guidelines for the Establishment and Use of an Infrastructure Financing District with Project Areas on Land Under the Jurisdiction of the San Francisco Port Commission.

WHEREAS, Government Code sections 53395-53398.47 (IFD Law) authorizes certain public agencies, including the City and County of San Francisco, to establish infrastructure financing districts (IFDs) to finance the planning, design, acquisition, construction, and improvement of public facilities meeting the requirements of IFD Law; and

WHEREAS, IFDs are formed to facilitate the design, acquisition, construction, and improvement of necessary public facilities and provide an alternative means of financing when local resources are insufficient; and

WHEREAS, Government Code sections 53395.8 and 53395.81 authorize the establishment of IFDs on land under the jurisdiction of the Port Commission of San Francisco (Port) to finance additional public facilities to improve the San Francisco waterfront and further authorizes the establishment of project areas within an IFD for the same purposes; and

WHEREAS, By Board Resolution No. 110-12, adopted on March 27, 2012, and Board Resolution No. 227-121, adopted on June 12, 2012, the Board stated its intention to form a single IFD consisting of all Port land (waterfront district) with project areas corresponding to Port development projects within the waterfront district; and

WHEREAS, By Board Resolution No. 66-11, adopted on February 8, 2011, the Board adopted "Guidelines for the Establishment and Use of Infrastructure Financing Districts in the

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City and County of San Francisco," which do not apply to land owned or managed by the Port; and

WHEREAS, This City policy for the use of Infrastructure Financing Districts on Port property is unique to the Port of San Francisco and does not establish a precedent for use of the Infrastructure Financing District Law elsewhere in the City and County; and

WHEREAS, A draft document entitled "Guidelines for the Establishment and Use of an Infrastructure Financing District with Project Areas on Land under the Jurisdiction of the San Francisco Port Commission" (Port Guidelines) setting forth proposed policy criteria and guidelines for the waterfront district is on file with the Clerk of the Board of Supervisors in File No. 130264, which is hereby declared to be a part of this Resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That the Board of Supervisors finds that the Port Guidelines will ensure that a rational and efficient process is established for the formation the waterfront district and project areas within it, and adopts the Port Guidelines; and, be it

FURTHER RESOLVED, That this Resolution and the Port Guidelines will be effective on the date the Board of Supervisors adopts this Resolution.

APPROVED AS TO FORM:

DENNIS J. HERRERA
City Attorney

By: _____ for
Joanne Sakai
Deputy City Attorney

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130264 **Date Passed:** April 23, 2013

Resolution adopting Guidelines for the Establishment and Use of an Infrastructure Financing District with Project Areas on Land Under the Jurisdiction of the San Francisco Port Commission.

April 17, 2013 Budget and Finance Sub-Committee - RECOMMENDED

April 23, 2013 Board of Supervisors - AMENDED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 23, 2013 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130264

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/30/13
Date Approved

[Contract Amendment - Transbay Transit Center Program Services - Not to Exceed $5,393,677]

Resolution approving the Second Amendment to Contract No. CS - 159 between the Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center program services pursuant to Charter, Section 9.118, to increase the not to exceed amount from $3,280,677 to $5,393,677 for the period of July 21, 2009, through December 31, 2017.

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) is a governmental entity which is comprised of the San Francisco Municipal Railway (Muni) and former Department of Parking and Traffic (DPT); and

WHEREAS, On August 21, 2007, the SFMTA and the Transbay Joint Powers Authority (TJPA) executed an agreement to provide SFMTA staff to support construction of the new Transbay Transit Center; and

WHEREAS, On July 21, 2009, the SFMTA and the TJPA entered into Contract No. CS-159, SFMTA Transbay Transit Center Program Services, under which the TJPA agreed to reimburse the SFMTA for engineering services related to re-routing of Muni's trolley coach service to accommodate the new TJPA temporary bus terminal; and

WHEREAS, SFMTA and TJPA entered into a First Amendment to this Agreement on August 9, 2010, adding SFMTA Parking Control Officer services for the operation of the Temporary Transbay Terminal during key commute hours to the scope of work, increasing the contract amount, and extending the term of the Agreement; and

WHEREAS, The SFMTA and the TJPA have negotiated a Second Amendment to Contract No. CS-159, SFMTA Transbay Transit Center Program Services, for additional

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SFMTA staff support services required for the ongoing development of the Transbay Terminal; and

WHEREAS, Under the Second Amendment, SFMTA will provide additional services including additional or amended project management, construction management, inspection, engineering, planning, and coordination support for the Transbay Terminal; and

WHEREAS, The SFMTA and TJPA have agreed to increase the contract amount from $3,280,677 to an amount not exceeding $5,393,677 to reimburse the SFMTA for these additional or amended services, and

WHEREAS, The Second Amendment to Contract No. CS-159 also extends the contract term from December 15, 2015 to December 31, 2017 to ensure completion of the new Transbay Transit Center; and

WHEREAS, On February 5, 2013, the SFMTA Board of Directors adopted Resolution 13-018, to authorize the SFMTA Director of Transportation to execute the Second Amendment to Contract No. CS-159; now, therefore, be it

RESOLVED, That the Director of Transportation of the SFMTA is hereby authorized, on behalf of the City, to execute the Second Amendment to Contract No. CS-159, SFMTA Transbay Transit Center Program Services, pursuant to Charter Section 9.118.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130267 **Date Passed:** April 23, 2013

Resolution approving the Second Amendment to Contract No. CS -159 between the Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center program services pursuant to Charter, Section 9.118, to increase the not to exceed amount from $3,280,677 to $5,393,677 for the period of July 21, 2009, through December 31, 2017.

April 17, 2013 Budget and Finance Sub-Committee - RECOMMENDED

April 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130267

I hereby certify that the foregoing Resolution was ADOPTED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/30/13
Date Approved

AMENDED IN BOARD
4/23/13

FILE NO. 130303 RESOLUTION NO. 125-13

[Urging City College of San Francisco to Preserve the Quality and Diversity of the School's Education and the City to Consider New Support]

Resolution urging the City College of San Francisco (CCSF) Board of Trustees and administration to utilize Proposition A funds as outlined in the language of Proposition A to preserve the quality and diversity of education that has served San Francisco well and for the City to consider additional support for CCSF by evaluating the fees currently charged by the City to CCSF, the possibility of providing more in-kind services, and exploring long-term local support structures.

WHEREAS, For the past 78 years, City College of San Francisco (CCSF) has been crucial to the economic and social development of San Francisco and has been widely acknowledged to be one of the best community colleges in the country, providing a rich array of valued programs in nursing, radiology, culinary and hotel management; and

WHEREAS, CCSF provides an indispensable education to approximately 85,000 students per year, most of whom come from the working class, are people of color, and are from immigrant communities and for whom CCSF represents one of the only options for affordable higher education; and

WHEREAS, The 2012 report of the Accountability Reporting for Community Colleges (ARCC) measured a racial achievement gap at CCSF with significantly fewer African American, Filipino, Latino, and Pacific Islander students completing degrees or certificates or transferring to four-year colleges; and

WHEREAS, CCSF is committed as part of its mission to "enhance student success and close equity achievement gaps"; and

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WHEREAS, CCSF has lost over $53 million in state cuts since 2007; and

WHEREAS, Class offerings, student support services, faculty and staff, and opportunities for student employment have all been severely cut; and

WHEREAS, The Accrediting Commission for Community and Junior Colleges has made 14 recommendations to CCSF, to which the trustees, Chancellor and faculty have worked hard to address and submitted a comprehensive plan of addressing these recommendations on March 15 ; and

WHEREAS, The passage of Proposition A in November 2012, by an overwhelming 73% of San Francisco voters, will bring in between $14 million to $16 million a year to CCSF over each of the next eight years; and

WHEREAS, Funds raised through Proposition A are intended to alleviate the cuts that severely limited class offerings, student support services, faculty and staff positions, and opportunities for student employment; and

WHEREAS, As stated in the ballot measure language, Proposition A is to be used to specifically offset budget cuts, prevent layoffs, provide affordable quality education for students, maintain essential courses, and keep college libraries, student support services, and other instructional support open and up to date; and

WHEREAS, the Administration and Board of Trustees of City College face many difficult budgetary decisions as the college strives to maintain its accreditation; and

WHEREAS, Maintaining an adequate reserve fund as required by the Accrediting Commission is critical to the financial stability of CCSF; and

WHEREAS, When a decision must be made between providing services to people and growing a reserve fund, the scales must tip toward people in need; and

WHEREAS, A number of student, faculty, and community groups, as well as the San Francisco Youth Commission, have requested that the City and County of San Francisco examine how it could better support CCSF; and

WHEREAS, Quality and affordable public education that provides lifelong learning, workplace and life skills, academic pathways and opportunities, and cultural and personal enrichment is a universally acclaimed human right and essential to San Francisco's economic viability; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors urges the CCSF Board of Trustees and administration to utilize Proposition A funds as outlined in the language of Proposition A to preserve the quality and diversity of education that has served San Francisco well; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the CCSF Board of Trustees and administration to prioritize initiatives to close the racial achievement gap and ensure equitable opportunities for educational success; and, be it

FURTHER RESOLVED, That among other priorities, the Board of Supervisors shall consider additional support for CCSF by evaluating the fees currently charged by the City to CCSF, the possibility of providing more in-kind services, and exploring long-term local support structures.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130303 **Date Passed:** April 23, 2013

Resolution urging the City College of San Francisco (CCSF) Board of Trustees and administration to utilize Proposition A Funds, as outlined in the language of Proposition A, to preserve the quality and diversity of education that has served San Francisco well; and for the City to consider additional support for CCSF by evaluating the fees currently charged by the City to CCSF, the possibility of providing more in-kind services, and exploring long-term local support structures.

April 17, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

April 17, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

April 23, 2013 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 23, 2013 Board of Supervisors - ADOPTED AS AMENDED
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130303

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

May 1, 2013
Date Approved

Date: May 1, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

for

Angela Calvillo
Clerk of the Board

File No.
130303

[Urging the Retirement Board to Divest from Fossil Fuel Companies]

Resolution urging the Retirement Board of the Employees' Retirement System to divest from publicly-traded fossil fuel companies.

WHEREAS, The Potsdam Institute's report, "Turn Down the Heat," has documented a 0.8°C rise in temperature above preindustrial levels and warns that further warming would cause "unprecedented heat waves, severe drought, and major floods in many regions;" and

WHEREAS, The Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report found that global warming is causing costly disruption of human and natural systems throughout the world including the melting of Arctic ice, the ocean's rise in acidity, flooding and drought; and

WHEREAS, The 2004 Climate Action Plan for San Francisco found that continued warming of the atmosphere would cause San Francisco to experience flooding, threats to City infrastructure, the sewage system, Bay wetlands, and marine life, as well as increased asthma and respiratory illness due to higher ozone levels, increased insurance and mitigation costs, and negative impacts to the fishing and tourism industries; and

WHEREAS, The San Francisco Bay Conservation and Development Commission's "Living with a Rising Bay" report found that a 55-inch sea level rise by the end of the century would cause substantial impacts to San Francisco and California, including: putting $62 billion of Bay Area shoreline development at risk, increasing the number of people at risk of flooding in the Bay Area to 270,000; and requiring at least $14 billion worth of static structures to protect California's shorelines; and

WHEREAS, Almost every government in the world has agreed through the 2009 Copenhagen Accord that any warming above a 2°C (3.6°F) rise would be unsafe, and that

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humans can only release about 565 more gigatons of carbon dioxide into the atmosphere to maintain this limit; and

WHEREAS, For the purposes of this Resolution, a "fossil fuel company" shall be defined as any of the two hundred publicly-traded companies with the largest coal, oil, and gas reserves as measured by the gigatons of carbon dioxide that would be emitted if those reserves were extracted and burned, as listed in the Carbon Tracker Initiative's "Unburnable Carbon" report; and

WHEREAS, In its "Unburnable Carbon" report, the Carbon Tracker Initiative found that fossil fuel companies possess proven fossil fuel reserves that would release approximately 2,795 gigatons of CO2 if they are burned, which is five times the amount that can be released without exceeding 2°C of warming; and

WHEREAS, In its "Oil and Carbon Revisited" report, HSBC Global Research found that if global policy makers committed to not exceed 2°C of warming, "only a third of current fossil fuel reserves can be burned before 2050," which would result in the "potential value (of publicly traded fossil fuel companies) at risk could rise to 40-60% of market (capitalization);" and

WHEREAS, In its "Do the Investment Math: Building a Carbon-Free Portfolio" report, the Aperio Group investment management firm found that divesting all fossil fuel companies from a broad-market U.S. stock market index such as the Russell 3000 would increase "absolute portfolio risk by 0.0101%;" and

WHEREAS, The City and County of San Francisco Board of Supervisors adopted Resolution No. 158-02 committing the City and County of San Francisco to a greenhouse gas emissions reductions goal of 20% below 1990 levels by the year 2012; and

WHEREAS, Under Resolution No. 158-02, the Mayor and Board of Supervisors of the City and County of San Francisco actively support the Kyoto Protocol; and

WHEREAS, Under Section 12.100 of the San Francisco Charter, the Retirement Board of the San Francisco Employees' Retirement System (SFERS) "shall have plenary authority and fiduciary responsibility for investment of monies and administration of the Retirement System"; and

WHEREAS, The Retirement Board's Social Investment Policy states that, "The relationship of the corporation to the communities in which it operates shall be maintained as a good corporate citizen through observing proper environmental standards, supporting the local economic, social and cultural climate, conducting acquisitions and reorganizations to minimize adverse effects"; and

WHEREAS, Divestment from fossil fuel companies is a responsible way for the Retirement Board to carry out its fiduciary duties and demonstrate leadership in implementing its Social Investment Policy; and

WHEREAS, Students at more than two hundred colleges and universities in the United States have launched campaigns to have their institutions divest from fossil fuel companies; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the Retirement Board of the San Francisco Employees' Retirement System (SFERS) to review the SFERS investment portfolio to identify any holdings that include direct or indirect investments in fossil fuel companies; and, be it

FURTHER RESOLVED, That the Board of Supervisors understands that in no way shall this Resolution or the policies articulated hereunder supersede the Retirement Board's fiduciary responsibilities to its members; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Retirement Board to immediately cease any new investments in fossil fuel companies or in commingled assets that include holdings in fossil fuel companies; and, be it

FURTHER RESOLVED, That, for any SFERS investments in commingled funds that are found to include fossil fuel companies, the Board of Supervisors urges the Retirement Board to contact the fund managers and request that the fossil fuel companies be removed from the funds; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Retirement Board to ensure that within five years none of its directly held or commingled assets include holdings in fossil fuel public equities and corporate bonds as determined by the Carbon Tracker list; and, be it

FURTHER RESOLVED That the Board of Supervisors urges the Retirement Board to prepare a report on options for investing in opportunities that would mitigate or limit the effects of burning fossil fuels, such as renewable energy, clean technology, and sustainable communities, with an emphasis on investments that would support local projects and local jobs; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Retirement Board to release quarterly updates, available to the public, detailing progress made towards full divestment.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130123 **Date Passed:** April 23, 2013

Resolution urging the Retirement Board of the Employees' Retirement System to divest from publicly traded fossil fuel companies.

April 10, 2013 Budget and Finance Sub-Committee - AMENDED

April 10, 2013 Budget and Finance Sub-Committee - REFERRED WITHOUT RECOMMENDATION AS AMENDED

April 23, 2013 Board of Supervisors - AMENDED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 23, 2013 Board of Supervisors - AMENDED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 23, 2013 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130123

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

May 1, 2013
Date Approved

Date: May 1, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130123

PREPARED IN COMMITTEE
4/18/13

FILE NO. 130134 RESOLUTION NO. 127-13

[Liquor License - 2379 Chestnut Street]

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Ferris Ferdon for Ferdon Olive Oil, Inc., dba We Olive, located at 2379 Chestnut Street (District 2), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Ferris Ferdon is seeking the issuance of a Type 42 on-sale beer and wine license for Ferdon Olive Oil, Inc., dba We Olive, located at 2379 Chestnut Street; and,

WHEREAS, The Planning Department has verified that the area is properly zoned and recommends approval; and,

WHEREAS, The Police Department has filed two protests with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control issue the liquor license with conditions; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) Sales, service and consumption of alcoholic beverages shall be permitted between the hours of 10:00 am and 9:00 pm daily; 2) The sale of alcoholic beverages for off-sale consumption is strictly prohibited; and 3) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control; now, therefore, be it

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RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that the issuance of a Type 42 on-sale beer and wine license to Ferris Ferdon for Ferdon Olive Oil, Inc., dba We Olive, located at 2379 Chestnut Street, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses and adopts the recommendations of the Police Department listed above, and recommends that the Department of Alcoholic Beverage Control issue the license with those conditions.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130134 **Date Passed:** April 23, 2013

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Ferris Ferdon for Ferdon Olive Oil, Inc., dba We Olive, located at 2379 Chestnut Street (District 2), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

April 18, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

April 18, 2013 Neighborhood Services and Safety Committee - RECOMMENDED AS COMMITTEE REPORT

April 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130134

I hereby certify that the foregoing Resolution was ADOPTED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/30/13
Date Approved

[Urging the California State Legislature to Pass Assembly Bill 900]

Resolution urging the California State Legislature to pass Assembly Bill 900 to eliminate the reduction in Medi-Cal rates for distinct part nursing facilities included in the State budget for FY2011-2012.

WHEREAS, Laguna Honda Hospital and Rehabilitation Center, a division of the San Francisco Department of Public Health, and the Jewish Home of San Francisco, a 501(c)3 private not-for profit charitable organization, are five-star skilled nursing facilities, and are ranked in the top one percent of skilled nursing facilities in State of California; and

WHEREAS, These organizations are integral to the successful delivery of health care services for the direct benefit of residents in San Francisco, as well as those living in surrounding counties because they provide critically necessary and outstanding post-acute care and community reintegration services for patients and residents who have been discharged from the city's acute care hospitals and who may have nowhere else to go; and

WHEREAS, As distinct part nursing facilities (DP/NFs), these organizations primarily rely upon reimbursement from Medi-Cal to cover their operating expenses; and

WHEREAS, The fiscal year 2011-12 California state budget through Assembly Bill 97 (AB 97) reduced the Medi-Cal reimbursement rate for DP/NFs to 90 percent of 2008 levels effective June 1, 2011, endangering skilled nursing services statewide; and

WHEREAS, In October 2011, the federal Centers for Medicare and Medicaid Services (CMS) approved California's plan to reduce Medi-Cal rates pursuant to AB 97; and

WHEREAS, Although the United States District Court, Northern District of California granted a preliminary injunction (California Medical Association v. Douglas) in January 2012 blocking the implementation of the AB 97 Medi-Cal rate reductions on the basis they would

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cause irreparable harm to Medi-Cal providers and beneficiaries, on December 13, 2013, a three-judge panel of the Ninth Circuit Court of Appeals lifted the injunction stating that the U.S. Secretary of Health and Human Services has the authority to decide whether California and other states can reduce Medicaid (Medi-Cal) rates while still adhering to program requirements; and

WHEREAS, As a result of the Ninth Circuit Court of Appeals decision, Governor Brown's administration has indicated its intent to move forward with the AB 97 Medi-Cal rate reductions retroactive to June 1, 2011; and

WHEREAS, The AB 97 Medi-Cal rate reduction represents an approximate 25 percent cut from current reimbursement levels, and the cost of the reduction to Laguna Honda Hospital alone would result in a $41 million loss in revenue this year plus $25 million in each subsequent year; and

WHEREAS, The cost of the rate reduction to the Jewish Home alone would result in an approximate $31 million cash impact this year plus an approximate $12 million cash impact in each subsequent year threatening the survival of the Jewish Home, causing the organization to strongly consider bankruptcy, and producing a shortage of acute care beds as post-acute patients linger in the system; and

WHEREAS, Smaller DP/NFs throughout the state would have to close if the rate reductions take effect, in many cases depriving less populous counties of desperately needed healthcare services; and

WHEREAS, On February 22, 2013, Assembly Member Luis Alejo introduced Assembly Bill 900 (AB 900), which would rescind the AB 97 Medi-Cal rate reductions for DP/NFs retroactive to June 1, 2011 and maintain rates at their current levels; and

WHEREAS, The California State Legislature is now considering passage of AB 900; now, therefore be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby urges the California State Legislature to pass AB 900 during the 2013 legislative year in order to protect some of the most vital and successful healthcare services in the state.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130344 **Date Passed:** April 23, 2013

Resolution urging the California State Legislature to pass Assembly Bill 900 to eliminate the reduction in Medi-Cal rates for distinct part nursing facilities included in the State budget for FY2011-2012.

April 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130344

I hereby certify that the foregoing Resolution was ADOPTED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

May 1, 2013
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

[Commendation - Laura Lai - Distinguished Service]

Resolution commending Laura Lai for her lifetime of community activism, civil rights advocacy, and documentation of Chinese American history, and declaring April 27, 2013, as Laura Lai Day in the City and County of San Francisco.

WHEREAS, Laura Lai (née Jung) came to San Francisco in 1949 as a young immigrant, became a student in the San Francisco public schools, and graduated from Galileo High School; and

WHEREAS, Laura Lai soon joined Mun Ching (the Chinese American Democratic Youth League), a progressive organization in the Chinese American community, at a time when such organizations were subject to surveillance and harassment by the federal government and some elements of the Chinese American community; and

WHEREAS, Laura Lai has ever since continued to engage in progressive causes and community service; and

WHEREAS, Laura Lai tirelessly supported her late husband Him Mark Lai's groundbreaking research into Chinese American history, including by serving as the chauffeur for her non-driving husband; and

WHEREAS, Laura Lai has made generous donations of money and materials to the Chinese Historical Society of America, the San Francisco Public Library, the University of California, Berkeley, Friends of Roots, and many other community organizations; and

WHEREAS, Laura Lai always says "I am a lucky girl," when all of San Francisco is most fortunate to have benefitted from her lifetime of community activism, civil rights advocacy, and documentation of Chinese American history; and

WHEREAS, Laura Lai serves as a key advisor to Friends of Roots and the Roots: Him Mark

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Lai Family History Project; and

WHEREAS, Laura Lai is being honored by the Friends of Roots on the occasion of their fourth annual "Eat. Root. Love." Gala on April 27, 2013; now therefore be it

RESOLVED, that the Board of Supervisors of the City and County of San Francisco commends and congratulates Laura Lai for her decades of service to our community; and be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco declares April 27, 2013, as Laura Lai Day in the City and County of San Francisco.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130345 **Date Passed:** April 23, 2013

Resolution commending Laura Lai for her lifetime of community activism, civil rights advocacy, and documentation of Chinese American history, and declaring April 27, 2013, as Laura Lai Day in the City and County of San Francisco.

April 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130345

I hereby certify that the foregoing Resolution was ADOPTED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

May 1, 2013
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

FILE NO. 130346 RESOLUTION NO. 130-13

[Urging the California State Assembly to Pass Assembly Bill 336]

Resolution urging the California State Legislature to pass Assembly Bill 336, which states that possession of one or more condoms shall not be used as evidence of soliciting or engaging in prostitution in the State of California.

WHEREAS, It is established that condoms are one of the most effective tools in preventing the transmission of HIV, sexually transmitted infections and unwanted pregnancies; and

WHEREAS, All individuals have the right to protect themselves through accessing, possessing and utilizing safer sex strategies including condoms; and

WHEREAS, It is harmful to public health efforts to in any way deter persons from possessing and utilizing condoms; and

WHEREAS, The practice of confiscating, photographing or otherwise using the possession of condoms as evidence of a person's intent to engage in prostitution effectively deters the possession and use of condoms thereby increasing their risk of HIV transmission; and

WHEREAS, The public health cost of criminalizing condoms and thereby deterring their use is found to be greater than the cost of finding alternative evidence in prostitution arrests; now, therefore, be it

RESOLVED, That the Board of Supervisors supports the prohibition of using condoms as evidence of prostitution; and, be it

FURTHER RESOLVED, That the Board of Supervisors supports and encourages the passage of Assembly Bill 336.

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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130346 **Date Passed:** April 23, 2013

Resolution urging the California State Legislature to pass Assembly Bill 336, which states that possession of one or more condoms shall not be used as evidence of soliciting or engaging in prostitution in the State of California.

April 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130346

I hereby certify that the foregoing Resolution was ADOPTED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

May 1, 2013
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

[Urging the California State Legislature to Pass Assembly Bill 1266]

Resolution urging the California State Legislature to pass AB 1266, the School Success and Opportunity Act.

WHEREAS, Gender Identity is a person's internal, deeply-rooted identification, and the freedom to express this identification is critical to a person's health, well-being, development and success; and

WHEREAS, Despite current California law which prohibits discrimination against students based on their gender identity, many school districts are not presently in compliance with these requirements; and

WHEREAS, Transgender youth must often overcome significant stigma and challenges when forced to participate in or be relegated to activities or facilities which are inconsistent with their gender identity; and

WHEREAS, The suppression, invalidation and undermining of a young person's gender identity is incongruous with our commitment to providing a healthy learning environment for our children; and

WHEREAS, The City of San Francisco recognizes the importance of giving our transgender and gender non-conforming youth equal opportunities for growth, respect, success and support; and

WHEREAS, Assembly Bill 1266 would provide California School Districts with a clear understanding of the legal obligations to integrate transgender students into every aspect of schooling according to their gender identity: now, therefore, be it

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RESOLVED, That the Board of Supervisors supports and encourages the California State Assembly to pass Assembly Bill 1266 and ensure equal opportunities for success to our transgender youth.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130347 **Date Passed:** April 23, 2013

Resolution urging the California State Legislature to pass Assembly Bill 1266, the School Success and Opportunity Act.

April 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130347

I hereby certify that the foregoing Resolution was ADOPTED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

May 1, 2013
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

for

Angela Calvillo
Clerk of the Board

[Urging the California State Legislature to Pass Assembly Bill 580]

Resolution urging the California State Legislature to pass Assembly Bill 580, to restore $75 million in annual funding to the California Arts Council.

WHEREAS, California Governor Edmund G. Brown created the California Arts Council (CAC) in 1975 to encourage public participation in the arts; help build strong arts organizations to assist with the professional development of arts leaders; promote awareness of the value of the arts and directly fund art programs in California's communities, and

WHEREAS, The CAC program was one of the first arts funding agencies in the United States of America that placed a heavy emphasis on funding artists and arts organizations that represented underserved, low-income and people of color, rural and inner-city populations and for arts and social change, and

WHEREAS, In 2003, the State budget allocation of the CAC was cut to approximately three cents per California resident—the lowest State funding level of all the 50 United States resulting in a cumulative loss to California's artists and non-profit arts industry of over $300 million during the last decade, and

WHEREAS, These cuts had catastrophic effects on the State's Artist-in-School's programs, touring and presenting programs and many other programs initiatives critical to the State's cultural health and vitality, and

WHEREAS, The burden of the cuts disproportionately impacted artists and arts organizations that represented underserved, low-income and people of color, rural and inner-city populations and for arts and social change, and

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WHEREAS, It is recognized and studies have proved that for every dollar invested in the arts, $7 are generated in the local economy including between $2.50 and $3 being directly recouped by California State and Municipal treasuries, and

WHEREAS, The non-profit arts-related sector statewide supports 91,000 arts-related businesses and 500,891 jobs for people in California, non-profit arts specifically generate $9.4 billion in total economic impact and 7.6 % of total employment in California, and

WHEREAS, Additionally, the arts spur cultural tourism with over 6,000,000 arts tourists per year to California, revitalize depressed neighborhoods, attract creative workers and industries, provide a creative infrastructure for innovation and imagination, serve as a crucial partner to California's entertainment industry, unite our communities, celebrating diversity and building bridges of tolerance and understanding and shape California's profile as a global focal point for culture and creativity; now, therefore, be it

RESOLVED that the Board of Supervisors unanimously supports Assembly Bill 580 that will restore $75 million in annual funding to the CAC for the purpose of making grants to artists and arts organizations that serve low-income and people of color, rural and inner-city populations and for arts and social change.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130348 **Date Passed:** April 23, 2013

Resolution urging the California State Legislature to pass Assembly Bill 580, to restore $75 million in annual funding to the California Arts Council.

April 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130348

I hereby certify that the foregoing Resolution was ADOPTED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

May 1, 2013
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

FILE NO. 130349 RESOLUTION NO. 133-13

[Municipal Transportation Agency Fiscal Agent - Local Priority Development Area Planning and Implementation Funds]

Resolution authorizing the Municipal Transportation Agency to act as the fiscal agent for $2,380,000 in funds received by the Planning Department through Metropolitan Transportation Commission Resolution No. 4035 for the implementation of the County Priority Development Area Planning and Implementation Program.

WHEREAS, The Board of Supervisors authorized the Planning Department to apply for, accept, and expend $2,380,000 in funding assigned to the MTC through Resolution No. 020-13 on January 29, 2013; and

WHEREAS, The sources of the funds for the County Priority Development Implementation Program includes but are not limited to federal funding administered by the Federal Highway Administration (FHWA) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding and/or Transportation Alternatives (TA) funding for local Priority Development Area Planning and Implementation efforts spanning FYs2012-2013 through FYs2015-2016; and

WHEREAS, The SFMTA is the direct recipient of the E-76 obligation package issued by the California Department of Transportation on behalf of the FHWA, which authorizes the expenditure of federal funds; and

WHEREAS, The Board of Supervisors must approve the resolution of local support from MTA as the recipient of the E-76; now, therefore, be it

RESOLVED, That the SFMTA will act as the fiscal agent for $2,380,000 in funds received by the San Francisco Planning Department through MTC Resolution 4035 for the implementation of the County Priority Development Area Planning and Implementation program.

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implementation of the County Priority Development Area Planning and Implementation program.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130349 **Date Passed:** April 23, 2013

Resolution authorizing the Municipal Transportation Agency to act as the fiscal agent for $2,380,000 in funds received by the Planning Department through Metropolitan Transportation Commission Resolution No. 4035 for the implementation of the County Priority Development Area Planning and Implementation Program.

April 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130349

I hereby certify that the foregoing Resolution was ADOPTED on 4/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/30/13
Date Approved

FILE NO. 130312 RESOLUTION NO. 134-13

[Settlement of Claim - Kerry MacRae - $275,000]

Resolution approving the settlement of the unlitigated claim filed by Kerry MacRae against the City and County of San Francisco for $275,000; claim was filed on April 27, 2012.

WHEREAS, Kerry MacRae has filed a claim on April 27, 2012 against the City and County of San Francisco for personal injuries; and

WHEREAS, Public Works of the City and County of San Francisco has recommended settlement of said claim by payment of $275,000 and;

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $275,000 is hereby approved.

APPROVED:

DENNIS J. HERRERA
City Attorney

CHERYL ADAMS
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT NAME

MOHAMMED NURU
Director of Public Works

FUNDS AVAILABLE:

BENJAMIN ROSENFELD
Controller

Index Code: 975016 Sub Object: 05312

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City and County of San Francisco
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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130312 **Date Passed:** May 07, 2013

Resolution approving the settlement of the unlitigated claim filed by Kerry MacRae against the City and County of San Francisco for $275,000; claim was filed on April 27, 2012.

April 18, 2013 Rules Committee - RECOMMENDED..

May 07, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130312

I hereby certify that the foregoing Resolution was ADOPTED on 5/7/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/15/13
Date Approved

FILE NO. 130319 RESOLUTION NO. 135-13

[Multifamily Housing Revenue Bonds - Western Park Apartments - 1280 Laguna Street - Not to Exceed $25,000,000]

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $25,000,000 for Western Park Apartments, 1280 Laguna Street, San Francisco, California 94115; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $25,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

WHEREAS, The Board of Supervisors of the City and County of San Francisco (the "Board of Supervisors"), after careful study and consideration, has determined that there is a shortage of safe and sanitary housing within the City and County of San Francisco (the "City"), particularly for low and moderate income persons, and that it is in the best interest of the

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residents of the City and in furtherance of the health, safety, and welfare of the public for the City to assist in the financing of multi-family rental housing units; and,

WHEREAS, Acting under and pursuant to the powers reserved to the City under Sections 3, 5, and 7 of Article XI of the Constitution of the State of California and Sections 1.101 and 9.107 of the Charter, the City has enacted the City and County of San Francisco Residential Mortgage Revenue Bond Law (the "City Law"), constituting Article I of Chapter 43 of the San Francisco Administrative Code, in order to establish a procedure for the authorization, issuance and sale of residential mortgage revenue bonds by the City for the purpose of providing funds to encourage the availability of adequate housing and home finance for persons and families of low or moderate income, and to develop viable communities by providing decent housing, enhanced living environments, and increased economic opportunities for persons and families of low or moderate income; and,

WHEREAS, In addition, pursuant to Division 31 of the Health and Safety Code of the State of California, and particularly Chapter 7 of Part 5 thereof (the "State Law"), the City is empowered to issue and sell bonds for the purpose of making mortgage loans or otherwise providing funds to finance the development of multi-family rental housing including units for lower income households and very low income households; and,

WHEREAS, Western Park Apartments LP, a California limited partnership (or any successor thereto including any successor owner of the Project, the "Developer"), desires to acquire and rehabilitate a 182-unit affordable residential rental housing development located at 1280 Laguna Street, San Francisco, California 94115, currently identified as Western Park Apartments (the "Project"); and,

WHEREAS, The Developer has requested that the City assist in the financing of the Project through the issuance of one or more series of tax-exempt mortgage revenue bonds (the "Bonds"); and,

WHEREAS, The City expects that proceeds of the Bonds will be used to pay certain costs incurred in connection with the Project prior to the date of issuance of the Bonds; and,

WHEREAS, The City intends to issue the Bonds in an amount not to exceed $25,000,000 and to loan the proceeds of the Bonds to the Developer (the "Loan") to finance the costs of the Project; and,

WHEREAS, The Board of Supervisors has determined that the moneys advanced and to be advanced to pay certain expenditures of the Project are or will be available only for a temporary period and it is necessary to reimburse such expenditures with respect to the Project from the proceeds of the Bonds; and,

WHEREAS, Section 1.150-2 of the United States Treasury Regulations requires that the Board of Supervisors declare its reasonable official intent to reimburse prior expenditures for the Project with proceeds of the Bonds; and,

WHEREAS, The interest on the Bonds may qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), only if the Bonds are approved in accordance with Section 147(f) of the Code; and,

WHEREAS, The City now wishes to approve the issuance of the Bonds in order to satisfy the public approval requirements of Section 147(f) of the Code; and,

WHEREAS, The Project is located wholly within the City; and,

WHEREAS, On March 19, 2013, the City caused a notice stating that a public hearing with respect to the issuance of the Bonds would be held by the Mayor's Office of Housing on April 1, 2013, to appear in The San Francisco Chronicle, which is a newspaper of general circulation in the City; and,

WHEREAS, The Mayor's Office of Housing held the public hearing described above on April 1, 2013 and an opportunity was provided for persons to comment on the issuance of the

Bonds and the Project; and the minutes of such hearing were provided to this Board of Supervisors prior to this meeting; and,

WHEREAS, This Board of Supervisors is the elected legislative body of the City and is the applicable elected representative authorized to approve the issuance of the Bonds within the meaning of Section 147(f) of the Code; and,

WHEREAS, Section 146 of the Code limits the amount of tax-exempt private activity bonds, which include qualified mortgage bonds, that may be issued in any calendar year by entities within a state and authorizes the legislature of each state to provide the method of allocating authority to issue tax-exempt private activity bonds within the respective state; and,

WHEREAS, Chapter 11.8 of Division 1 of Title 2 of the Government Code of the State of California governs the allocation in the State of California of the state ceiling established by Section 146 of the Code among governmental units in the State having the authority to issue tax-exempt private activity bonds; and,

WHEREAS, Section 8869.85(b) of the Government Code requires that a local agency file an application for a portion of the state ceiling with or upon the direction of the California Debt Allocation Committee ("CDLAC") prior to the issuance of tax-exempt private activity bonds, including qualified mortgage bonds; and,

WHEREAS, CDLAC procedures require an applicant for a portion of the state ceiling to certify to CDLAC that applicant has on deposit an amount equal to one-half of one percent (1/2%) of the amount of allocation requested not to exceed $100,000.00; now, therefore be it

RESOLVED, By the Board of Supervisors of the City and County of San Francisco, as follows:

Section 1. The Board of Supervisors finds and determines that the foregoing recitals are true and correct.

Section 2. The Board of Supervisors adopts this Resolution for purposes of establishing compliance with the requirements of Section 1.150-2 of the United States Treasury Regulations. This Resolution does not bind the Board of Supervisors to issue the Bonds, approve the Loan or to make any expenditure, incur any indebtedness or proceed with the Project.

Section 3. The Board of Supervisors hereby declares its official intent under United States Treasury Regulations Section 1.150-2 to use proceeds of the Bonds to reimburse expenditures incurred in connection with the Project. The Board of Supervisors hereby further declares its intent to use such proceeds to reimburse the Developer for actual expenditures made by the Developer on the Project.

Section 4. On the date of the expenditure to be reimbursed, all reimbursable costs of the Project will be of a type properly chargeable to a capital account under general federal income tax principles.

Section 5. The maximum principal amount of debt expected to be issued for the Project is $25,000,000.

Section 6. This Board of Supervisors, as the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, hereby approves the issuance of the Bonds for purposes of Section 147(f) of the Code.

Section 7. This approval of the issuance of the Bonds by the City is neither an approval of the underlying credit issues of the proposed Project nor an approval of the financial structure of the Bonds.

Section 8. The Board of Supervisors hereby authorizes the Director of the Mayor's Office of Housing (the "Director"), on behalf of the City, to submit an application (the "Application"), and such other documents as may be required, to CDLAC pursuant to

Government Code Section 8869.85 for an allocation for the Project of a portion of the state ceiling for private activity bonds in a principal amount not to exceed $25,000,000.

Section 9. An amount equal to $100,000 ("Deposit") is hereby authorized to be held on deposit in connection with the Application and the applicable CDLAC procedures, and the Director is authorized to certify to CDLAC that such funds are available; which Deposit shall consist of a restriction on cash in the Hotel Tax Fund established pursuant to Section 515.01 of Article 7 of the San Francisco Business and Tax Regulations Code (the "Hotel Tax Fund").

Section 10. If the City receives a CDLAC allocation and the applicable issuance requirements are not met, the Mayor's Office of Housing is hereby authorized to cause an amount equal to the Deposit to be paid to the State of California from the Hotel Tax Fund, if required by CDLAC.

Section 11. The officers and employees of the City and the Director are hereby authorized and directed, jointly and severally, to do any and all things necessary or advisable to consummate the receipt of an allocation from CDLAC and otherwise effectuate the purposes of this Resolution, and all actions previously taken by such officers and employees with respect to the Project, including but not limited to the submission of the application to CDLAC, are hereby ratified and approved.

Section 12. This Resolution shall take effect from and after its adoption by the Board and approval by the Mayor.

APPROVED AS TO FORM:

DENNIS J. HERRERA
City Attorney

By: _____
HEIDI J. GEWERTZ
Deputy City Attorney

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130319 **Date Passed:** May 07, 2013

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $25,000,000 for Western Park Apartments, 1280 Laguna Street, San Francisco, California 94115; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $25,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

April 24, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 07, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130319

I hereby certify that the foregoing Resolution was ADOPTED on 5/7/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Angela Calvillo
Clerk of the Board

Mayor

5/15/13
Date Approved

FILE NO. 130387 RESOLUTION NO. 136-13

[Urging the United States Senate to Amend Senate Bill 744 and Pass Comprehensive Immigration Reform]

Resolution urging the United States Senate to amend Senate Bill 744 and pass Comprehensive Immigration Reform legislation to focus on family reunification, create a real pathway to citizenship, and be inclusive of our country's diversity.

WHEREAS, On April 15, 2013, The U.S. Senate Bi-Partisan Committee on Immigration Reform proposed legislation to fix our country's broken immigration system; and

WHEREAS, While to its credit, the proposed bill addresses backlogs for family and employer-sponsored visas, places DREAM Act students and agricultural workers on a faster legalization track, and allows law enforcement officials to assist domestic violence victims and immigrants who are witnesses to crimes, the proposal also presents significant barriers for our most vulnerable immigrants; and

WHEREAS, On April 22, 2013, the San Francisco Immigrant Rights Commission issued a statement voicing its concern about the shift from family reunification, an unprecedented expansion of border enforcement, threats to workers due to the continuation of the E-Verify program, and significant challenges that will result from proposed fee increases and new education and language requirements; and

WHEREAS, Since the current legislation eliminates sibling-based visas, makes it harder for some families to petition for their adult married children, and continues the discrimination in immigration law against LGBT Americans and their foreign-born partners, our immigration system's historic commitment to family reunification has been severely compromised; and

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WHEREAS, With new employment requirements, the proposed bill supports visas for high-skilled workers at the expense of low-wage earners who provide essential services, pay taxes, and contribute to the economy, and unnecessarily pits two classes of immigrant workers who should both be embraced by our country; and

WHEREAS, New proposed requirements for English-Language proficiency presents significant barriers and economic burdens to many aspiring newcomers, and waivers, as they currently exist, should continue for those for whom these requirements are unnecessarily onerous; and

WHEREAS, San Francisco is a city founded by immigrants, where over a third of the current population is immigrant, where nearly half speak one of over 112 different languages other than English, and where our diversity and immigrant communities are viewed as a global advantage; now, therefore, be it

RESOLVED, That the Board of Supervisors joins the Immigrant Rights Commission in urging the Senate Judiciary Committee to adopt amendments to the Comprehensive Immigration Reform package that supports family reunification, create real pathways to citizenship, and are inclusive of our country's diversity, and urges San Francisco's Congressional delegation to advocate for both these amendments and the legislation's ultimate passage.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130387 **Date Passed:** May 07, 2013

Resolution urging the United States Senate to amend Senate Bill 744 and pass Comprehensive Immigration Reform legislation to focus on family reunification, create a real pathway to citizenship, and be inclusive of our country's diversity.

May 07, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130387

I hereby certify that the foregoing Resolution was ADOPTED on 5/7/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

5/15/13
Date Approved

Date: May 15, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130387

FILE NO. 130277 RESOLUTION NO. 137-13

[Agreement - Engineered Arresting Systems Corporation - Not to Exceed $40,000,000]

Resolution authorizing the Office of Contract Administration and Purchaser to enter into the Agreement between the Airport Commission and Engineered Arresting Systems Corporation for the not to exceed amount of $40,000,000 for the purchase of an Engineered Material Arresting System for the San Francisco International Airport Runway Safety Area Program.

WHEREAS, In order to comply with 14 CFR 139 relating to Runway Safety provisions and Public law 109-115 relating to funding, the San Francisco International Airport ("SFO") is required to make Runway Safety Area (RSA) enhancements to all four of it runways by December 31, 2015; and

WHEREAS, As part of the RSA program, SFO is required to have installed an Engineered Material Arresting System (EMAS) for aircraft overruns in accordance with the Federal Aviation Administration (FAA) Advisory Circular No. 150/5220-22B; and

WHEREAS, Presently, as stated in the Fact Sheet for Engineered Material Arresting System, dated July 9, 2012, the EMAS system developed by ESCO using crushable concrete is the only system that meets the FAA standard; and

WHEREAS, The Board of Supervisors, by Ordinance passed on January 26, 2012, file number 111288, authorized the Airport Commission to award a sole-source contract to design the EMAS system for SFO; and

WHEREAS, ESCO has completed its design for the EMAS system for SFO and has estimated that the cost to SFO to purchase that system is in an amount not to exceed $40,000,000; and

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WHEREAS, The San Francisco Airport Commission, by Resolution No. 12-0267 approved the purchase of the EMAS system in an amount not to exceed $40,000,000; and

WHEREAS, Director of Administrative Services approves of the sole-source purchase of the EMAS system from ESCO by recognizing that ESCO is the only provider of the system; and

WHEREAS, Charter section 9.118, "Contracts and Lease Limitations," subsection (b), requires Board of Supervisors approval of any contract estimated to exceed $10 million in expenditures; now, therefore, be it

RESOLVED, That the Board of Supervisors authorizes the Office of Contract Administration to enter into a purchase contract with ESCO for the purchase of the EMAS system it designed for SFO in an amount not to exceed $40,000,000.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130277 **Date Passed:** May 14, 2013

Resolution authorizing the Office of Contract Administration and Purchaser to enter into the Agreement between the Airport Commission and Engineered Arresting Systems Corporation for the not to exceed amount of $40,000,000 for the purchase of an Engineered Material Arresting System for the San Francisco International Airport Runway Safety Area Program.

May 08, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130277

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/15/13
Date Approved

FILE NO. 130072 RESOLUTION NO. 138-13

[Airport Concession Lease - Clear Channel Outdoor, Inc., dba Clear Channel Airports - $10,000,000 Minimum Annual Guarantee]

Resolution approving the Airport Advertising Lease between Clear Channel Outdoor, Inc., dba Clear Channel Airports, acting by and through its Airport Commission, for an eight year term with a minimum annual guarantee of $10,000,000.

WHEREAS, The Airport Commission has requested proposals for the Airport Advertising Lease; and

WHEREAS, Clear Channel Outdoor, Inc. dba Clear Channel Airports was the highest, most responsive and responsible proposer; and,

WHEREAS, The Airport Commission approved Resolution No. 12-0231, adopted October 30, 2012, awarding the Airport Advertising Lease to Clear Channel Outdoor, Inc. dba Clear Channel Airports; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the Airport Advertising Lease No. 12-0231, copies of which are contained in Board of Supervisors' file number 130072, for an eight year term with a minimum annual guarantee of $10,000,000.

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File Number: 130072 **Date Passed:** May 14, 2013

Resolution approving the Airport Advertising Lease between Clear Channel Outdoor, Inc., dba Clear Channel Airports, acting by and through its Airport Commission, for an eight year term with a minimum annual guarantee of $10,000,000.

March 06, 2013 Budget and Finance Sub-Committee - CONTINUED TO CALL OF THE CHAIR

May 08, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 9 - Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

Noes: 2 - Avalos and Campos

File No. 130072

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Angela Calvillo
Clerk of the Board

Edwin Lee
Mayor

5/21/13
Date Approved

PREPARED IN COMMITTEE
5/2/13

FILE NO. 130163 RESOLUTION NO. 139-13

[Liquor License Transfer - 2545-24th Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1480 Alabama Street to 2545-24th Street (District 10), to Steven Schefsky and Jim Saxton, for Playland ABC, LLC, will serve the public convenience and necessity of the City and County and San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Steven Schefsky and Jim Saxton are seeking the transfer of a Type 48 on-sale general public premises license from 1480 Alabama Street to 2545-24th Street for Playland ABC, LLC; and,

WHEREAS, The Planning Department has verified that the area is properly zoned and recommends approval; and,

WHEREAS, The Police Department has filed zero (4) protests and zero (0) letters of support with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control issue the liquor license; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) Sales, service and consumption of alcoholic beverages shall be permitted between the hours of 11:00 a.m. until 2:00 a.m. daily; 2) The sale of alcoholic beverages for off-sale consumption is strictly prohibited; 3) Loitering (defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the

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licensee as depicted on the ABC-257; 4) No noise shall be audible beyond the area under the control of the licensee as defined on the ABC-257; 5) As a component of a comprehensive security plan, the petitioner should employ security cameras during hours of operation. These devices are a deterrent to crime and their recordings often yield valuable evidence in criminal investigations.; and 6) The front door(s) shall be kept closed at all times during the operation of the premises except in case of emergency and to permit deliveries. Said door(s) not to consist solely of a screen or ventilated security door.

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines for the foregoing reasons that the transfer of a Type 48 on-sale general public premises license from 1480 Alabama Street to 2545-24th Street, to Steven Schefsky and Jim Saxton, for Playland ABC, LLC, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses and adopts the recommendations of the Police Department listed above, and recommends that the Department of Alcoholic Beverage Control issue the license.

City and County of San Francisco
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City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130163 **Date Passed:** May 14, 2013

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1480 Alabama Street to 2545-24th Street (District 10), to Steven Schefsky and Jim Saxton, for Playland ABC, LLC, will serve the public convenience and necessity of the City and County and San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

May 02, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

May 02, 2013 Neighborhood Services and Safety Committee - RECOMMENDED

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130163

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/21/13
Date Approved

FILE NO.130273 RESOLUTION NO. 140-13

[Accept In Kind Gift - Technical Assistance - $250,000]

Resolution authorizing the Office of the District Attorney to retroactively accept an in kind gift of technical assistance valued at $250,000 from the Open Society Foundation for the grant period of January 1, 2013, through June 30, 2015.

WHEREAS, The City and County of San Francisco District Attorney's Office is designated as chair for the San Francisco Sentencing Commission; and

WHEREAS, The National Council on Crime and Delinquency (NCCD), a non-profit organization that has provided research to guide policy and practice in criminal justice, juvenile justice, and child welfare since 1907, with support from The San Francisco District Attorney's Office (SFDA), applied for grant funds from Open Society Foundation (OSF) to support the work of the San Francisco Sentencing Commission and for an analysis of District Attorney Victim Services Division; and

WHEREAS, NCCD has been awarded the OSF grant and plans to provide program planning services to the above-referenced City agencies; and

WHEREAS, NCCD has proposed to provide the City with a gift-in-kind of technical assistance valued at $250,000 for the San Francisco Sentencing Commission and District Attorney Victims Services Division; and

WHEREAS, The gift does not require and ASO Amendment; now, therefore, be it;

RESOLVED, That the Board of Supervisors hereby authorizes the District Attorney of the City and County of San Francisco to accept the in-kind gift, valued at $250,000, from the Open Society Foundation for program planning services to be provided by NCCD.

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APPROVED:
Office of the District Attorney

for George Gascón

George Gascón

APPROVED:
Office of the Controller

By: _____

for Ben Rosenfield

APPROVED:
Office of the Mayor

By: _____

for Edwin M. Lee

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 130273 **Date Passed:** May 14, 2013

Resolution authorizing the Office of the District Attorney to retroactively accept an in kind gift of technical assistance valued at $250,000 from the Open Society Foundation for the grant period of January 1, 2013, through June 30, 2015.

April 24, 2013 Budget and Finance Sub-Committee - CONTINUED

May 08, 2013 Budget and Finance Committee - RECOMMENDED

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130273

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/24/13
Date Approved

[Accept Gift - Design Services and Furniture - $26,445.43]

Resolution authorizing the Office of the District Attorney to retroactively accept a gift of design services and furniture, valued at a total of $26,445.43 from various donors.

WHEREAS, William Breall, Ryan Brooks, Ron Conway, Pius Lee, Farah and Victor Makras, Martin Richards Interiors, Larry and Sergio Nibbi, Jim Reuben, Charlotte Mailliard Shultz, Joseph Tsang, and Benny Yee, wish to support the operations of the District Attorney's Office; and

WHEREAS, The District Attorney's Office has received the gift of furniture and design services and has placed the furniture in the District Attorney's Executive Office and the Victim Services Lounge; now, therefore, be it

RESOLVED, That the Board of Supervisors authorizes the District Attorney's Office to retroactively accept the gift of design services and furniture, valued at $26,445.43, received between October 17, 2012 and December 14, 2012, from the above donors; and, be it

FURTHER RESOLVED, That the Chief Financial Officer will continue to exercise sole discretion over the placement of the furniture in the District Attorney's Office; and, be it

FURTHER RESOLVED, That the District Attorney's Office shall retain the gift of furniture for its useful life and only remove or dispose of the furniture in accordance with City laws, rules, and procedures regarding surplus property.

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File Number: 130274 **Date Passed:** May 14, 2013

Resolution authorizing the Office of the District Attorney to retroactively accept a gift of design services and furniture, valued at a total of $26,445.43 from various donors.

April 24, 2013 Budget and Finance Sub-Committee - CONTINUED

May 08, 2013 Budget and Finance Committee - RECOMMENDED

May 14, 2013 Board of Supervisors - NOT AMENDED
Ayes: 3 - Avalos, Campos and Mar
Noes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee

May 14, 2013 Board of Supervisors - ADOPTED
Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee
Noes: 1 - Avalos

File No. 130274

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/21/13
Date Approved

AMENDED IN COMMITTEE
5/8/2013

FILE NO. 130286 RESOLUTION NO. 142-13

[Term Sheet Endorsement - Development of Seawall Lot 337 and Pier 48 and Finding of Fiscal Feasibility]

Resolution finding the proposed development of Seawall Lot 337 and Pier 48, bounded by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay and adjacent to AT&T Park, fiscally feasible under Administrative Code, Chapter 29, and endorsing the Term Sheet between Seawall Lot 337 Associates, LLC and the Port Commission.

WHEREAS, The San Francisco Port Commission (the "Port" or "Port Commission") has jurisdiction over Seawall Lot 337 ("SWL 337"), portions of Terry A. Francois Boulevard, China Basin Park, and Pier 48 (together, the "Site"), bounded by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay and adjacent to AT&T Park, and offered the Site for development through a two-step public solicitation process begun in 2007; and

WHEREAS, On May 12, 2009, by Port Resolution 09-26, the Port Commission awarded the development opportunity to Seawall Lot 337 Associates, LLC ("Developer") and authorized exclusive negotiations for a proposed mixed-use development project at the Site (the "Project"); and

WHEREAS, On May 25, 2010, by Resolution 10-32, the Port Commission authorized the Port's Executive Director or her designee to execute an Exclusive Negotiating Agreement (the "ENA") between the Port and Developer for the Project; and

WHEREAS, On March 12, 2013, by Resolution No. 13-10, the Port Commission endorsed a term sheet that describes the fundamental deal terms for the Project (the "Term Sheet") and directed Port staff to present the Term Sheet to the Board of Supervisors for endorsement and to submit a request that the Board of Supervisors review the proposed

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Project under San Francisco Administrative Code Chapter 29 and determine whether the Project is fiscally feasible and responsible; and

WHEREAS, The Term Sheet is on file with the Clerk of the Board of Supervisors in File No. 130286, which is hereby declared to be a part of this resolution as if set forth fully herein; and

WHEREAS, The construction cost of the Project will exceed $25 million and more than $1 million in public funds will be used for construction of the Project, thus triggering review by the Board of Supervisors to determine the fiscal feasibility of the Project under Administrative Code Section 29.1; and

WHEREAS, Pursuant to Administrative Code Section 29.3, Port and Developer have submitted to the Board of Supervisors a general description of the Project, the general purpose of the Project, and a fiscal plan; and

WHEREAS, Pursuant to Administrative Code Section 29.2, prior to submittal to the Planning Department of an environmental evaluation application ("Environmental Application") required under Administrative Code Chapter 31 and the California Environmental Quality Act ("CEQA") related to the Project, it is necessary for the Port to procure from the Board of Supervisors a determination that the plan to undertake and implement the Project is fiscally feasible and responsible; and

WHEREAS, The Board of Supervisors has reviewed and considered the general description of the Project, the general purpose of the Project, the fiscal plan and other information submitted to it and has considered the direct and indirect financial benefits of the Project to the City of San Francisco, the cost of construction, the available funding for the Project, the long-term operating and maintenance costs of the Project, and the public debt for the Project; and

WHEREAS, The Board of Supervisors has reviewed and considered the proposed terms for the Project as set forth in the Term Sheet; and

WHEREAS, The Term Sheet is not itself a binding agreement that commits the City, including the Port, or Developer to proceed with the approval or implementation of the Project; rather, the Project will first satisfy environmental review requirements under CEQA and will be subject to public review in accordance with the processes of the City and other government agencies with approval rights over the Project before any binding agreements, entitlements or other regulatory approvals required for the Project will be considered; now, therefore, be it

RESOLVED, That the Board of Supervisors finds that the plan to undertake and implement the Project is fiscally feasible and responsible as set forth in San Francisco Administrative Code Chapter 29 ("Fiscal Feasibility Finding"); and, be it

FURTHER RESOLVED, That pursuant to San Francisco Administrative Code Chapter 29, the Environmental Application may now be filed with the Planning Department and the Planning Department may now undertake environmental review of the Project as required by Administrative Code Chapter 31 and CEQA; and, be it

FURTHER RESOLVED, That the Board of Supervisors endorses the Term Sheet and urges the Port:

(1) with the assistance of the Office of Economic and Workforce Development, the City Attorney's Office and other City officials as appropriate, to make evaluation and further negotiation of the proposed Project among its highest priorities;

(2) to include in the Project transaction documents, including ground leases and the development and disposition agreement ("DDA"), the following:

(a) Developer and Port should establish fair market value and Developer should accept the two lead parcels as reimbursement towards its equity investment in entitlement costs, based on that fair market valuation, within 90

days of the DDA effective date or as expeditiously as possible in order to minimize the amount of the equity investment subject to the 20 percent developer return on equity;

(b) the Project's final transaction documents should specify that "unreimbursed" horizontal infrastructure development costs refer only to Developer's unreimbursed equity investment in entitlement and horizontal infrastructure development costs and not Project-based debt; and

(c) Port should explore and utilize all available public and project financing mechanisms deemed fiscally advantageous and prudent rather than having Developer fund all of the entitlement and horizontal infrastructure development costs; and

(3) to report back to the Board of Supervisors on:

(a) financing that has been secured for the parking structure as soon as the feasibility gap has been reconciled and prior to the master lease between Port and Developer being finalized; and

(b) how these recommendations have been included in the Project transaction documents at the Board of Supervisors hearing on approval of the Project; and, be it

FURTHER RESOLVED, That Board of Supervisors' endorsement of the Term Sheet and its Fiscal Feasibility Finding do not commit the Board of Supervisors, the Port or any other public agency with jurisdiction over any part of the Project to approve the terms of final leases or other transactions or grant any entitlements to Developer, nor does either the Term Sheet endorsement or Fiscal Feasibility Finding foreclose the possibility of considering alternatives to the Project or mitigation measures to reduce or avoid significant environmental impacts or preclude the City, after conducting appropriate environmental review under CEQA, from

deciding not to grant entitlements or approve or implement the Project, and while the Term Sheet identifies certain essential terms of a proposed transaction with the City through the Port Commission, it does not set forth all of the final, material terms and conditions of the transaction documents for the Project; and, be it

FURTHER RESOLVED, That the Board of Supervisors will not take any discretionary actions committing the City to implement the Project, and the provisions of the Term Sheet are not intended to and will not become contractually binding on the City, unless and until: (1) the Planning Department has reviewed and considered environmental documentation prepared in compliance with Administrative Code Chapter 31 and CEQA for the Project and has determined that the environmental documentation complies with Administrative Code Chapter 31 and CEQA; (2) the Port Commission has adopted appropriate CEQA findings in compliance with CEQA and has approved the terms of the final transaction documents for the Project incorporating the Term Sheet provisions; and (3) the Board of Supervisors has adopted appropriate CEQA findings in compliance with CEQA and approved the terms of the final leases and any other property transfers for the Project.

City and County of San Francisco
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Resolution

City Hall
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File Number: 130286 **Date Passed:** May 14, 2013

Resolution finding the proposed development of Seawall Lot 337 and Pier 48, bounded by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay and adjacent to AT&T Park, fiscally feasible under Administrative Code, Chapter 29, and endorsing the Term Sheet between Seawall Lot 337 Associates, LLC and the Port Commission.

April 22, 2013 Land Use and Economic Development Committee - CONTINUED TO CALL OF THE CHAIR

May 08, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

May 08, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130286

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/21/13
Date Approved

AMENDED IN COMMITTEE
5/8/13

FILE NO. 130342 RESOLUTION NO. 143-13

[Lease Amendment - Master Bike Rental Concession - ParkWide Activities, LLC]

Resolution authorizing the execution of a first amendment to the lease between the Recreation and Park Department and ParkWide Activities, LLC, for the operation of a master bike rental concession in City parks, for the period of August 17, 2011, through August 16, 2016.

WHEREAS, The City, acting by and through the Recreation and Park Commission ("Commission"), entered into a Lease dated as of August 17, 2011, with ParkWide Activities, LLC ("ParkWide") for the lease and operation of a Master Bike Rental Concession in various City parks ("Lease"); and,

WHEREAS, Charter Section 9.118(c) requires the Board of Supervisors' approval of leases having a term of ten or more years or anticipated revenues of one million dollars or more, and the Board of Supervisors approved the Lease on March 16, 2011, by Resolution No. 127-11; and

WHEREAS, Since it began operating in City parks, ParkWide has been a well-used amenity providing an active, popular and positive use enhancing the park experience for locals and visitors; and

WHEREAS, ParkWide and the Department desire to modify ParkWide's operations in City parks to better connect the existing ParkWide bike infrastructure, offer greater accessibility to bike rental services, and a transit-first way to see the City; and

WHEREAS, Department staff has negotiated an amendment to the Lease (the "First Amendment") that will (i) eliminate the JFK Drive Site from the leased premises, (ii) expand the leased premises to include a portion of the East Entrance to Golden Gate Park on Stanyan Street and a portion of the Ocean Beach Parking Lot, (iii) provide for a trial period of

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one year for the new additional sites, (iv) modify minimum days of operation at the Bandshell Site, the Marina Green Site, the Justin Herman Plaza Site and the Union Square Site, (v) specify the rent payable for the additional sites, (vi) provide for additional storage at the Park Ranger Compound Annex parking lot for ParkWide's truck and trailer and equipment used in connection with its operations of the additional sites, (vii) provide that the minimum hours and days of operation of sites may be modified from time to time at ParkWide's request with permission of the General Manager, and (viii) modify the Lease in certain other respects; and

WHEREAS, On January 17, 2013, by Recreation and Park Commission Resolution 1302-008, the Recreation and Park Commission approved the First Amendment to the Lease between the City and ParkWide; and

WHEREAS, A copy of the Lease and the First Amendment are on file with the Clerk of the Board in File No. 130342; and

WHEREAS, Charter Section 9.118(c) requires the Board of Supervisors' approval of modification of leases which when entered into had a term of ten or more years or anticipated revenues of one million dollars or more; and

WHEREAS, In a Certificate of Determination, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 130342, the City's Planning Department determined that the First Amendment is categorically exempt from environmental review under California Environmental Quality Act (CEQA) State Guidelines, Section 15301(a), or Class 1; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby finds that the First Amendment to the Lease is consistent with the General Plan and with the Eight Priority Policies of City Planning Code, Section 101.1, and is exempt from environmental review for the same reasons as set forth in the Planning Department's Certificate of Determination; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the General Manager of the Recreation and Park Department or his designee to execute and enter into the First Amendment to the Lease with ParkWide in substantially the form filed with the Clerk of the Board of Supervisors in File No. 130342; and ,be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the General Manager to enter into additions, amendments, or other modifications to the First Amendment (including, without limitation, preparation and attachment of, or charges to, any or all of the exhibits) that the General Manager, in consultation with the City Attorney, determines are in the best interest of the City, do not materially decrease the benefits of the Lease or First Amendment to the City, do not materially increase the obligations or liabilities of the City, do not authorize the performance of any activities without pursuing all required regulatory and environmental review and approvals, and are necessary or advisable to complete the transactions which the First Amendment contemplates and effectuate the purpose and interest of this resolution, such determination to be conclusively evidenced by the execution and delivery by the General Manager of the Lease and First Amendment and any such additions, amendments, or other modifications to those documents; and, be it

FURTHER RESOLVED, That the Board of Supervisors approves, confirms, and ratifies all prior actions taken by the officials, employees, and agents of the City with respect to the First Amendment.

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City Hall
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File Number: 130342 **Date Passed:** May 14, 2013

Resolution authorizing the execution of a first amendment to the lease between the Recreation and Park Department and ParkWide Activities, LLC, for the operation of a master bike rental concession in City parks, for the period of August 17, 2011, through August 16, 2016.

May 08, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

May 08, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130342

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/21/13
Date Approved

[Issuance - Equipment Lease Revenue Bonds, Series 2013A - Finance Corporation Equipment Program - Not to Exceed $12,500,000]

Resolution approving the form of and authorizing execution and delivery of Equipment Lease Revenue Bonds, Series 2013A, Supplement No. 19, between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco (City), as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $12,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

WHEREAS, Pursuant to Section 9.108(3) of the Charter of the City and County of San Francisco (the "Charter"), the Board of Supervisors of the City and County of San Francisco (the "Board of Supervisors") may approve lease financing involving a nonprofit corporation established for such purposes for the acquisition of equipment, the obligations with respect to which shall not exceed in the aggregate at one time a principal amount of $20 million increased by five percent in each fiscal year commencing with fiscal year 1990-1991, provided that the Controller of the City and County of San Francisco or his designee (collectively, the "Controller") makes the certification required by said section of the Charter prior to the sale of such obligations; and,

WHEREAS, The City and County of San Francisco Finance Corporation (the "Corporation"), a California nonprofit public benefit corporation, has been formed to, among

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other purposes, serve as the nonprofit corporation pursuant to Section 9.108(3) of the Charter; and,

WHEREAS, The Board of Supervisors has previously entered into an equipment lease (the "Equipment Lease") with the Corporation to provide for the acquisition, construction and installation by the Corporation of equipment to be used for the purposes of the City and County of San Francisco (the "City") and the leasing of said equipment and certain equipment subject to existing leases to the City; and,

WHEREAS, The Board of Supervisors desires to approve the issuance of commercial paper under the City's commercial paper program to initially fund all or a portion of the acquisition, construction and installation of additional equipment to be used for City purposes; and,

WHEREAS, The Board of Supervisors has determined to enter into an Equipment Lease Supplement No. 19 (Series 2013A Bonds) (the "Equipment Lease Supplement" and, together with the Equipment Lease, the "Lease") to provide for the acquisition, construction and installation of said additional equipment by the Corporation and the leasing of said equipment to the City; and,

WHEREAS, The Corporation proposes to issue its lease revenue bonds designated as the "City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 2013A (Equipment Program)" (the "Bonds"), secured by base rentals to be paid by the City under the Lease, a portion of the proceeds of which will be used to finance or refinance the acquisition, construction and installation of such additional equipment; and,

WHEREAS, The Board of Supervisors is authorized to approve the execution and delivery of the Equipment Lease Supplement and the issuance of the Bonds pursuant to a resolution duly adopted by the Board of Supervisors; and,

WHEREAS, Securities and Exchange Commission Rule 15c2-12(b)(5) (the "Rule") requires that an "obligated person" (as defined in the Rule) agree to provide certain annual financial information and notice of certain specified events to Participating Underwriters (as defined in the Rule), to bondholders and beneficial owners of the Bonds, and the City is an obligated person; now, therefore, be it

RESOLVED, By the Board of Supervisors of the City and County of San Francisco, as follows:

Section 1. Recitals. All of the recitals herein are true and correct.

Section 2. Approval of Form of Equipment Lease Supplement and Certificate of Approval. In accordance with the recommendation of the Office of Public Finance of the City, the form of the Equipment Lease Supplement, by and between the Corporation and the City, and the related Certificate of Approval presented to this Board of Supervisors, copies of which are on file with the Clerk of the Board of Supervisors in File No. 130376, and which are hereby declared to be a part of this resolution as if set forth fully herein, are hereby approved. The Mayor of the City or his designee (collectively, the "Mayor") is hereby authorized to execute the Equipment Lease Supplement and the related Certificate of Approval, and the Clerk of the Board of Supervisors or the designee of such officer (collectively, the "Clerk of the Board") is hereby authorized to attest and affix the seal of the City on the Equipment Lease Supplement, in substantially the forms presented to the Board of Supervisors, with such modifications, changes, or additions as the Mayor may approve in accordance with Section 3 hereof.

Section 3. Modifications to Equipment Lease Supplement and Certificate of Approval. The Mayor is hereby authorized to approve and make such modifications, changes or additions to the Equipment Lease Supplement and the Certificate of Approval, upon consultation with the City Attorney of the City, as may be necessary or desirable in the interests of the City, and which changes do not materially increase the obligations of the City

under the Lease, such approval to be conclusively evidenced by the execution and delivery by the Mayor and the Clerk of the Board of the Equipment Lease Supplement and by the Mayor of the Certificate of Approval; provided, however, that the total project costs of the acquisition and installation of the equipment to be financed or refinanced with the proceeds of the Bonds (the "Project") shall not exceed $12,500,000, that the maximum interest rate on the Bonds shall not exceed 10% per annum and that the Equipment Lease Supplement shall have a termination date no later than April 1, 2019.

Section 4. Approval of Issuance of the Bonds. The Board hereby approves the issuance of commercial paper from time to time to fund all or a portion of the initial costs of the Project. The issuance by the Corporation of not to exceed $12,500,000 aggregate principal amount of City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 2013A (Equipment Program), to be secured by the payment of base rental by the City pursuant to the Lease, is hereby approved; provided, however, that the Bonds shall not be issued unless prior to the sale thereof the Controller certifies that in his opinion the net interest cost to the City will be lower as a result of the issuance of the Bonds than other financings or refinancings involving a lease or leases.

Section 5. Approval of the Official Statement in Preliminary and Final Form. The form of the Official Statement relating to the Bonds (the "Official Statement"), as presented to this Board, a copy of which is on file in preliminary form with the Clerk of the Board in File No. 130376, and which is hereby declared to be a part of this resolution as if set forth fully herein, is hereby approved. The Director of Public Finance, or her designee (collectively, the "Director of Public Finance") is hereby authorized to approve the distribution of the preliminary Official Statement, with such changes, additions, modifications or deletions as the Director of Public Finance may approve upon consultation with the City Attorney; such approval to be conclusively evidenced by the distribution of the preliminary Official Statement to potential

purchasers of the Bonds. The Controller of the City is hereby authorized to execute, and the Director of Public Finance is hereby further authorized to approve the distribution of, the Official Statement in final form.

Section 6. Reimbursement of Certain Expenditures. In the event that the City pays certain capital expenditures from its general fund in connection with the equipment listed on Exhibit A to the Equipment Lease Supplement (the "Equipment") as finally executed and as may be amended from time to time in connection with the issuance of the Bonds or other indebtedness for the Equipment, and to the extent that the City has already made such payments in connection with the Equipment, all such payments will be and have been made with the reasonable expectation by the City that such payments for such expenditures will be reimbursed from the proceeds of the Bonds or such other indebtedness. Pursuant to Treasury Regulation Section 1.150-2, the City hereby declares its official intent to be reimbursed from the proceeds of the Bonds or other indebtedness for such Equipment expenditures. This Section 6 of this Resolution is approved by the City solely for the purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations, and does not bind the City or the Corporation to make any expenditure, incur any indebtedness or proceed with the Project.

Section 7. Title to the Equipment. The City will accept title to the Equipment, including any additions to the Equipment, as provided under the Lease.

Section 8. Approval of Form of Continuing Disclosure Certificate. The form of Continuing Disclosure Certificate (the "Certificate") to be executed and delivered by the City, a copy of which is on file with the Clerk of the Board in File No. 130376, and which is hereby declared to be a part of this resolution as if set forth fully herein, is hereby approved. The Mayor or the Controller is hereby authorized to execute the Certificate, in substantially the form presented to the Board of Supervisors, with such modifications, changes or additions as the Mayor or the Controller may make or approve upon consultation with the City Attorney, such approval to be conclusively evidenced by the execution and delivery of the Certificate.

Section 9. General Authorization. The Mayor, the City Attorney, the Controller, the Director of Public Finance, the Clerk of the Board and the other officers of the City and their duly authorized deputies and agents are hereby authorized and directed, jointly and severally, to take action to authorize the purchase of the Equipment by the Corporation, to execute and deliver such certificates, requests or other documents and agreements, including, but not limited to, certificates relating to the Official Statement for the Bonds in preliminary or final form or to other offering material relating to the Bonds, or relating to the purchase of bond insurance, if any, on the Bonds, as they may deem necessary or desirable to facilitate the execution and delivery by the City of the Equipment Lease Supplement and of the Certificate of Approval and the consummation of the financing contemplated thereby, and to otherwise carry out the provisions of this Resolution.

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By: Kenneth David Roux

KENNETH DAVID ROUX
Deputy City Attorney

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130376 **Date Passed:** May 14, 2013

Resolution approving the form of and authorizing execution and delivery of Equipment Lease Revenue Bonds, Series 2013A, Supplement No. 19, between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco (City), as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $12,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

May 08, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130376

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/21/13
Date Approved

FILE NO. 130383 RESOLUTION NO. 145-13

[Accept and Expend Grant - Bay Area Regional Energy Network - $931,000]

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of $931,000 from the Association of Bay Area Governments to perform various activities as part of a Bay Area Regional Energy Network energy efficiency program for the period of January 1, 2013, through December 31, 2014.

WHEREAS, The City and County of San Francisco (City) is a member of the Association of Bay Area Governments (ABAG); and

WHEREAS, ABAG has been awarded up to $26.5 million by decision of the California Public Utilities Commission (CPUC) in Decision 12-11-015 to operate the Bay Area Regional Energy Network program (BayREN) in all of its member counties; and

WHEREAS; ABAG is receiving the ratepayer funds of $26.5 million through a contract with PG&E where PG&E is acting only as a fiscal manager and the CPUC provides oversight of the program content; and

WHEREAS, BayREN has proposed programs to provide technical assistance and financing in the residential sector and education and training for construction contractors and building code officials; and

WHEREAS, The Department of the Environment has played a key role in the development of the concepts and plans for all the elements of the BayREN program; and

WHEREAS, The Department of Environment is already performing energy efficiency programs for greenhouse gas reductions providing assistance in the residential sector and creating local jobs; and

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WHEREAS, The Department of the Environment has built upon its experience with building codes to play the lead role in the development of the Codes and Standards component of the BayREN; and

WHEREAS, The Board of Supervisors has adopted goals for reductions in greenhouse gas emissions; and

WHEREAS, This program will help achieve those greenhouse gas reduction goals; and

WHEREAS, The term of this grant is from January 1, 2013 to December 31, 2014; and

WHEREAS, The grant allows for indirect costs of $257,262 included in the budget; and

WHEREAS, A request for retroactive approval is being sought because the Department of the Environment was not notified of the grant award until February 12, 2013; and

WHEREAS, The grant does not require an Annual Salary Ordinance (ASO) amendment; now therefore, be it

RESOLVED, That the Board of Supervisors authorizes the Director of the Department of the Environment to accept and expend a grant in the amount of $931,000 from ABAG to implement BayREN activities in San Francisco; and be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of the Department of the Environment to accept and expend additional funds in the case that ABAG decides to assign additional BayREN tasks for activities in San Francisco.

Recommended:

Department Head

Approved: Mayor

Approved: Controller, Grant Division

Supervisor Mar

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130383 **Date Passed:** May 14, 2013

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of $931,000 from the Association of Bay Area Governments to perform various activities as part of a Bay Area Regional Energy Network energy efficiency program for the period of January 1, 2013, through December 31, 2014.

May 08, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130383

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/21/13
Date Approved

FILE NO. 130386 RESOLUTION NO. 146-13

[Urging the California State Senate to Pass Senate Bill 622]

Resolution urging the California State Senate to Pass Senate Bill 622, which would levy an excise tax of one cent ($0.01) per fluid ounce on any beverage with added caloric sweeteners, such as sodas, in order to fund activities to prevent childhood obesity.

WHEREAS, Over the last 30-40 years, obesity rates in California have tripled and today 38% of children and 62% of adults are either overweight or obese; and

WHEREAS, Obesity has long-term health implications including increasing the risk of diabetes, heart disease, arthritis, asthma, and some forms of cancer; and

WHEREAS, Obesity and physical inactivity is estimated to cost California $52 billion annually in health care costs and lost productivity; and

WHEREAS, On average, Americans drink 45 gallons of sugary drinks which contain 39 pounds of sugar each year; and

WHEREAS, The average American consumes almost 300 more calories per day than they did in the 1970s and 43% of those additional calories come from sugar sweetened beverages; and

WHEREAS, Sugary beverages and fruit drinks together are the largest source of daily calories for children ages 2-18; and

WHEREAS, Sugary drinks are heavily marketed, especially to children, often using celebrities, sports stars, and cartoon characters; and

WHEREAS, Every additional daily serving of soda increases a child's risk for childhood obesity by 60 percent; and

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WHEREAS, If current obesity trends are not reversed, it is predicted that one in three children and nearly half of Latino and African American children born in the year 2000 will develop type 2 diabetes in their lifetime; and

WHEREAS, Sugary beverages are inexpensive, abundant, and high in calories without providing significant nutritional value; and

WHEREAS, Senate Bill 622, on file with the Clerk of the Board of Supervisors in File No. 130386, which is hereby declared to be a part of this resolution as if set forth fully herein, would levy an excise tax of one cent ($0.01) per fluid ounce on any beverage with added caloric sweeteners; and

WHEREAS, Senate Bill 622 would direct any money generated by the tax to create childhood obesity prevention activities and programs for the State; and

WHEREAS, Taxing certain products to reduce consumption is a proven strategy as evidenced by tobacco taxes; and

WHEREAS, Senate Bill 622 is responding to the preventable public health epidemic of obesity, whose health care costs affect all Californians; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors urges the California Senate to pass Senate Bill 622, authored by Senator Bill Monning; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs the Clerk of the Board to send a copy of this resolution to the members of the Senate Health Committee and Senator Bill Monning.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130386 **Date Passed:** May 14, 2013

Resolution urging the California State Senate to Pass Senate Bill 622, which would levy an excise tax of one cent ($0.01) per fluid ounce on any beverage with added caloric sweeteners, such as sodas, in order to fund activities to prevent childhood obesity.

May 07, 2013 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Absent: 1 - Mar

File No. 130386

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

5/22/13
Date Approved

Date: May 22, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130386

FILE NO. 130411 RESOLUTION NO. 147-13

[Lyme Disease Awareness Month - May 2013]

Resolution declaring May 2013 as Lyme Disease Awareness Month.

WHEREAS, Lyme disease is a serious bacterial infection that is commonly transmitted by infected ticks and is spreading everywhere in the world, including nationally, statewide and locally; and

WHEREAS, There is an average of 33,000 new cases of Lyme disease were reported in the United States 2011, the most recent year for which we have national statistics; and

WHEREAS, The Centers for Disease Control and Prevention indicates that the reported cases of Lyme disease are only 10 percent of the actual cases that meet surveillance criteria; and

WHEREAS, The tick that spreads Lyme disease has been found in 56 out of California's 57 counties; and

WHEREAS, Seven San Franciscans are known to have contracted Lyme disease since 1995 and co-infections from being bitten by infected ticks in the City with three reported to the Department of Public Health; and

WHEREAS, If treated immediately and appropriately, Lyme disease can usually be cured; and

WHEREAS, If untreated or misdiagnosed, Lyme disease can cause long-term health problems, including neurological disorders, memory loss, muscle and joint pain, fatigue, psychological disorders and, in some rare cases, can be fatal; and

WHEREAS, In the State of California, ticks are present throughout the year and we must take precautions to protect humans and animals from tick bites all year long; and

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WHEREAS, Immediately following a previous year's introduction of a resolution proclaiming May 2012 as Lyme Disease Awareness Month at the Board of Supervisors meeting, a San Francisco resident who had watched the proceedings recognized his own symptoms for the first time; and

WHEREAS, The month of May is recognized nationally and by the State of California as Lyme Disease Awareness Month; now, therefore be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby proclaim May 2013 as Lyme Disease Awareness Month.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130411 **Date Passed:** May 14, 2013

Resolution declaring May 2013 as Lyme Disease Awareness Month.

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Absent: 1 - Mar

File No. 130411

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

5/22/13
Date Approved

Date: May 22, 2013

I hereby certify that the foregoing resolutiòn, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130411

FILE NO. 130431 RESOLUTION NO. 148-13

[Asian Women's Shelter - 25th Anniversary]

Resolution commemorating the Asian Women's Shelter on their 25th anniversary for their distinguished service to those who have suffered from domestic violence in the City and County of San Francisco.

WHEREAS, 2013 marks the 25th Anniversary of the Asian Women's Shelter (AWS); and

WHEREAS, AWS was founded as the first shelter in Northern California and third in the nation to provide language-accessible services to non-English speaking women and children refugees and immigrants who have suffered from domestic violence; and

WHEREAS, The mission of AWS is to eliminate domestic violence and to foster the social, political and economic self-determination of women via its programs and services; and

WHEREAS, In 1991 the AWS launched the Multilingual Access Program to offer non-English support to survivors of violence and as of 2010 the on-call support is offered in over 30 languages and dialects, thus increasing the number of people who can be assisted; and

WHEREAS, Through testimony of AWS residents, the battered immigrants provision of the federal Violence Against Women Act is successfully added and passed, leading to programs designed to meet the needs of immigrant women and women of different races or ethnicities; and

WHEREAS, AWS has continually been committed to expanding their services to transgender and lesbian survivors of domestic violence and addressing homophobia starting with the Lesbian Services program in 1990, which became the Queer Asian Women's Services in 1997 and is currently the Queer Asian Women and Transgender Services to include all survivors of domestic violence and human trafficking; and

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WHEREAS, In the year 2000 the AWS launches the Community Building Program to provide community education, grassroots mobilization, technical assistance and advocacy; and

WHEREAS, The national Peer-to-Peer technical assistance program launched in 2001, works with anti-violence agencies around the country to provide specific training and services depending on the specific needs of a particular association; and

WHEREAS, In 2002-03 AWS creates the first anti-trafficking program in the Bay Area to provide services and advocacy for trafficked survivors; and

WHEREAS, The commitment of AWS to end violence against women is exemplified by innovative projects such as: The Multilingual Digital Storytelling Project launched in 2007, that empowers immigrant survivors to convey their stories via different forms of media, keeping their own voices and languages; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors hereby recognizes the AWS for the immense value its programs and services provides to address the specific language and cultural needs of immigrant and refugee women and children to fulfill their rights to a violence-free home, and proclaims May 11, 2013 as Asian Women's Shelter Day.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130431 **Date Passed:** May 14, 2013

Resolution commemorating the Asian Women's Shelter on their 25th anniversary for their distinguished service to those who have suffered from domestic violence in the City and County of San Francisco.

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Absent: 1 - Mar

File No. 130431

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

5/22/13
Date Approved

Date: May 22, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130431

FILE NO. 130432 RESOLUTION NO. 149-13

[San Francisco Conservation Corps - 30th Anniversary]

Resolution commemorating the San Francisco Conservation Corps on their 30th anniversary for their dedication to providing job and academic training to youth in underserved communities in the City and County of San Francisco.

WHEREAS, The City and County of San Francisco recognizes the achievements of its non-profit organizations, celebrates their contributions to the community, and appreciates their rich legacies of ingenuity, creativity, and achievement; and

WHEREAS, Founded in 1983 with the leadership of then Mayor Dianne Feinstein and other visionaries who sought to enhance the environment and job training for low income young adults, the San Francisco Conservation Corps is the first urban corps in the nation to combine both job and academic training; and

WHEREAS, Many of the young people who join the San Francisco Conservation Corps live in the underserved communities in our City whom face significant barriers to achieve their academic and job goals; and

WHEREAS, Working in teams, these Corps members renovate play structures for younger children, plant urban gardens, and divert thousands of pounds of recyclables from landfills while earning their high school diplomas; and

WHEREAS, Corps members develop job and academic skills, leadership abilities, and environmental awareness by completing outreach, conservation, and community service projects throughout our City; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and Country of San Francisco, in recognition of 30 years of upholding the highest ideals of public service and invaluable

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accomplishments for the future of our low income young adults, do hereby proclaim May 15, 2013 as San Francisco Conservation Corps day in San Francisco.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130432 **Date Passed:** May 14, 2013

Resolution commemorating the San Francisco Conservation Corps on their 30th anniversary for their dedication to providing job and academic training to youth in underserved communities in the City and County of San Francisco.

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Absent: 1 - Mar

File No. 130432

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

5/22/13
Date Approved

Date: May 22, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130432

FILE NO. 130433 RESOLUTION NO. 150-13

[Urging the California State Legislature to Pass Assembly Bill 840]

Resolution urging the California State Legislature to pass Assembly Bill 840 to require the Department of Motor Vehicles to have driver's license applicants sign a statement implying they are aware of the dangers caused by distracted driving.

WHEREAS, California ranks first in the nation for the highest number of annual reported pedestrian fatalities and fourth in the nation behind New York, Hawaii, and New Jersey for the highest percentage of traffic fatalities that are pedestrians; and

WHEREAS, San Franciscans experience about 800 pedestrian injures and 22 fatalities every year. This translates to 2 to 3 pedestrians per day; and

WHEREAS, In order to prosecute a person at fault in an accident, the District Attorney must usually prove "intent." If they cannot prove that a driver knew, or reasonably should have known, that their actions were dangerous before hitting someone with a car, then the District Attorney will have more difficulty prosecuting and reaching justice; and

WHEREAS, Assembly Bill (AB) 840 would require the Department of Motor Vehicles include a disclaimer on all driver's license tests upon the updating of their current system; and

WHEREAS, The disclaimer would state that the applicant is fully aware and recognizes the risks and personal liability of driving while distracted; and

WHEREAS, This bill will improve California's annual ranking of safety for pedestrians and bicyclists by making drivers more aware of their liability and duty as a California State Driver; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby urges the California State Legislature to pass AB 840.

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City and County of San Francisco
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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130433 **Date Passed:** May 14, 2013

Resolution urging the California State Legislature to pass Assembly Bill 840 to require the Department of Motor Vehicles to have driver's license applicants sign a statement implying they are aware of the dangers caused by distracted driving.

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Absent: 1 - Mar

File No. 130433

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

5/22/13
Date Approved

Date: May 22, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130433

[National Hispanic Hepatitis Awareness Day - May 15, 2013]

Resolution declaring May 15, 2013, as National Hispanic Hepatitis Awareness Day in the City and County of San Francisco in order to raise awareness of Hepatitis A, Hepatitis B and Hepatitis C, and liver health overall, in the lives of San Francisco's diverse Latino and Latina residents.

WHEREAS, May 15, 2013 marks a day of hepatitis awareness as organized by the Latino Commission on AIDS; and

WHEREAS, Over 5 million Americans are living with chronic hepatitis B and C, with upwards of 75% of these individuals unaware that they are infected; and

WHEREAS, Viral hepatitis is widely acknowledged as a "silent epidemic", leading to significant morbidity and mortality among those infected; and

WHEREAS, Fear, stigma and poor access to medical care leads to significant health disparities in viral hepatitis amongst Latinos and Latinas;

WHEREAS, Among all ethnic groups, Latinos and Latinas have the second highest rate of hepatitis A (as of 2010); and

WHEREAS, Latinos and Latinas are twice as likely to be diagnosed with hepatitis A than non-Hispanic Whites; and

WHEREAS, Latino/as are twice as likely to die from viral hepatitis as compared to non-Hispanic Whites; and

WHEREAS, San Francisco is home to many organizations that committed to the health and wellness of Latino men, women and transgendered persons including, but not limited to Project Inform, San Francisco AIDS Foundation, Instituto Familiar de la Raza, Aguilas: El Ambiente Program, Asian and Pacific Islander Wellness Center, Mission Neighborhood

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Health Center and the American Liver Foundation, Northern California Chapter, City College of San Francisco and the SF Department of Public Health; and

WHEREAS, San Francisco is home to innovative and nationally renowned viral hepatitis prevention programs such as San Francisco Hep B Free and San Francisco AIDS Foundation Syringe Access Services; and

WHEREAS, San Francisco is home to innovative and nationally renowned viral hepatitis medical care programs such as the Ward 86 SF Hepatitis C Primary Care Initiative, Quan Yin Healing Arts Program, California Pacific Medical Center Liver Disease Management and Transplant Program, and Chinese Hospital; and

WHEREAS, San Francisco is home to local and national advocacy organizations like the San Francisco Hepatitis C Task Force and Project Inform now; and

WHEREAS, The City and County of San Francisco is dedicated to providing the highest quality in medical care and social services to all peoples, regardless of immigration status; now, therefore, be it

RESOLVED, That the City and County of San Francisco recognizes the importance of addressing the public health epidemic of viral hepatitis among its Latino men, women and transgendered population; and, be it

FURTHER RESOLVED, That May 15, 2013 is declared and celebrated as National Hispanic Hepatitis Awareness Day.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130435 **Date Passed:** May 14, 2013

Resolution declaring May 15, 2013, as National Hispanic Hepatitis Awareness Day in the City and County of San Francisco in order to raise awareness of Hepatitis A, Hepatitis B, and Hepatitis C, and liver health overall, in the lives of San Francisco's diverse Latino and Latina residents.

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Absent: 1 - Mar

File No. 130435

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

5/22/13
Date Approved

Date: May 22, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130435

FILE NO. 130436 RESOLUTION NO. 152-13

[Urging the California State Legislature to Pass Assembly Bill 755]

Resolution urging the California State Legislature to pass Assembly Bill 755 to require all proposed new construction or refurbishment of bridges take into account plans for a suicide barrier to become eligible for any State or Federal funds apportioned by the State.

WHEREAS, The top three deadliest suicide bridges in the world are in the United States, two of those bridges are here in California; and

WHEREAS, Mental illness has been found as a factor to the ongoing tragedy of deaths by suicide on bridges; and

WHEREAS, Suicide is most often an impulsive action, restricting easy access to lethal bridge jumps can significantly reduce the number of bridge suicides; and

WHEREAS, the deadly potential of a bridge jump varies with the height and design of each individual bridge, it is necessary to consider this lethal potential prior to construction; and

WHEREAS, Assembly Bill 755 (AB 755), sponsored by Assembly Member Tom Ammiano, would require all proposed new construction or refurbishment of bridges take into account plans for a suicide barrier to become eligible for any state or federal funds apportioned by the state; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby urges the California State Legislature to pass Assembly Bill 755.

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1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 130436 **Date Passed:** May 14, 2013

Resolution urging the California State Legislature to pass Assembly Bill 755 to require all proposed new construction or refurbishment of bridges take into account plans for a suicide barrier to become eligible for any State or Federal funds apportioned by the State.

May 14, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Absent: 1 - Mar

File No. 130436

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

5/22/13
Date Approved

Date: May 22, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130436

DOCUMENTS DEPT

FILE NO. 130420 JUL 29 2013 RESOLUTION NO. 153-13

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[Real Property Conveyance - Land Dedication - 1294-8 Shotwell Street - Inclusionary Affordable Housing]

Resolution approving and authorizing an agreement for the conveyance of a parcel of real estate, consisting of approximately .27 acres improved by a 11,672 square foot commercial building for the Mayor's Office of Housing pursuant to the land dedication process permitted under Planning Code Section 419; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.

WHEREAS, Thomas Murphy and Martina Murphy, Trustees of the Murphy Trust UDT dated October 03, 2003 ("Seller") owns Lot 026, in Block 6571 located at 1294-8 Shotwell Street of the County of San Francisco (the "Property"), containing 11,672 square feet of Production, Distribution and Repair space on .27 acres of land; and

WHEREAS, 2558 Mission LLC ("Developer") is the developer of 2558 Mission Street, San Francisco, a mixed use project known as the New Mission Theatre Project (the "Principal Site"); and

WHEREAS, Developer has elected to satisfy the Inclusionary Affordable Housing Program requirements under Planning Code Section 415 for the Principal Site by dedicating the Property to the City pursuant to Planning Code Section 419; and

WHEREAS, the land dedication of the Property was included in the Conditional Use Authorization and Planned Unit Development approvals and California Environmental Quality Act (CEQA) findings for the Principal Site, which were considered and approved by Planning

Commission Motion No. 18775 dated January 10, 2013, a copy of which is on file with the Clerk of the Board of Supervisors under File No. 130420 and is incorporated herein by reference ("Planning Approvals"); and

WHEREAS, As a condition to the approval of the land dedication of the Property, and as further described in the Planning Approvals, the Mayor's Office of Housing (MOH) determined that the Property is suitable for development of up to 46 affordable housing dwelling units as required under Planning Code Sections 419.5(2) and 419.6; and

WHEREAS, The Developer has agreed to purchase the Property from the Seller pursuant to a Purchase and Sale Agreement and Joint Escrow Instructions dated September 29, 2011 (the "Seller Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors under File No. 130420 and is incorporated herein by reference; and

WHEREAS, The terms and conditions of the conveyance of the Property to the City have been negotiated, as further outlined in the Agreement of Purchase and Sale for Real Estate by and between the Developer and City (the "Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors under File No. 130420 and is incorporated herein by reference, pursuant to which Developer shall pay Seller to acquire the Property and direct Seller to convey the fee title to the Property directly to City; and

WHEREAS, The Property was appraised by a third party appraiser on April 10, 2013 at $4,200,000, and said appraisal was reviewed and approved by the City's Director of Property; and

WHEREAS, Because the Property is being conveyed to the City pursuant to the land dedication process permitted under Planning Code Section 419, the purchase price to be paid by the City under the Agreement is $1; and

WHEREAS, The results of preliminary environmental testing on the Property discovered soluble lead concentrations in the soil exceeding State of California waste criteria; and

WHEREAS, In response to negotiations with the Director of Property and MOH, Developer has proposed to provide the following in the Agreement to address City's concerns regarding the condition of the Property (the "Developer Proposal"): 1) an assignment of Seller's representations and warranties in the Seller Agreement; 2) an agreement to deposit $92,230 into an escrow account to be made available to City to transport and dispose of contaminated soil if necessary for any future development of the Property; and 3) a representation and warranty that the Property contains no further undisclosed adverse environmental conditions, with Developer's liability for any breach of this representation limited to a period of two years after conveyance and a cap of $500,000.

WHEREAS, There are two existing commercial leases for portions of the Property, which the City will assume as part of the conveyance; and

WHEREAS, The Planning Approvals determined that the development of the Principal Site and the land dedication of the Property are consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and are not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(2), now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts the findings contained in the Planning Approvals regarding CEQA, and hereby incorporates such findings by reference as though fully set forth in this Resolution; and be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby finds that the conveyance of the Property is consistent with the General Plan and with the Eight Priority Policies of City Planning Code Section 101.1 for the same reasons as set

forth in the Planning Approvals, and hereby incorporates such findings by reference as though fully set forth in this Resolution; and, be it

FURTHER RESOLVED, That in accordance with the recommendation of the Director of MOH and Director of Property, the Board of Supervisors hereby approves the conveyance of the Property to the City and the transaction contemplated thereby in substantially the form of the Agreement presented to the Board, which incorporates the terms of the Developer Proposal, and authorizes the Director of Property to execute the Agreement and any associated assignments of lease; and, be it

FURTHER RESOLVED, That all actions heretofore taken by any employee or official of the City with respect to this conveyance are hereby approved, confirmed and ratified; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to enter into any amendments or modifications to the Agreement (including, without limitation, the attached exhibits) that the Director of Property determines, in consultation with the City Attorney and Director of MOH, are in the best interest of the City, do not otherwise materially increase the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of the Agreement and are in compliance with all applicable laws, including City's Charter; and, be it

FURTHER RESOLVED, That the Director of Property is hereby authorized and urged, in the name and on behalf of the City and County, to accept the deed to the Property from the Seller upon the closing in accordance with the terms and conditions of the Agreement, and to take any and all steps (including, but not limited to, the execution and delivery of any and all certificates, agreements, notices, consents, escrow instructions, closing documents and other instruments or documents) as the Director of Property deems necessary or appropriate in order to consummate the conveyance of the Property pursuant to the Agreement, or to

otherwise effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property of any such documents.

$1

INDEX CODE: MYRMOHAHF
AFFORDABLE HOUSING - MOH

PROJECT CODE: PMOAHF AHFREV
AFFORDABLE HOUSING FUND - MOH
REVENUE

Controller

Recommended:

Director
Mayor's Office of Housing

Director of Property

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130420 **Date Passed:** May 21, 2013

Resolution approving and authorizing an agreement for the conveyance of a parcel of real estate, consisting of approximately .27 acres improved by a 11,672 square foot commercial building for the Mayor's Office of Housing pursuant to the land dedication process permitted under Planning Code, Section 419; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

May 13, 2013 Land Use and Economic Development Committee - RECOMMENDED..

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130420

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/31/13
Date Approved

FILE NO. 130381 RESOLUTION NO. 154-13

[Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C - Not to Exceed $133,275,000]

Resolution authorizing and directing the sale of not to exceed $133,275,000 aggregate principal amount of Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

WHEREAS, By Resolution No. 248-11 adopted by the Board of Supervisors (the "Board of Supervisors") of the City and County of San Francisco (the "City") on June 7, 2011 and signed by the Mayor of the City (the "Mayor") on June 13, 2011, it was determined and declared that public interest and necessity demand the repaving and reconstruction of roads, the rehabilitation and seismic improvement of street structures, the replacement of sidewalks

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the installation and renovation of curb ramps, the redesign of streetscapes to include pedestrian and bicycle safety improvements, and the construction, rehabilitation and renovation of traffic infrastructure within the City (the "Project"); and

WHEREAS, By Ordinance No. 148-11, finally passed by the Board of Supervisors on July 26, 2011, and signed by the Mayor on July 26, 2011 (the "Bond Ordinance"), the Board of Supervisors duly called a special election to be held on November 8, 2011 (the "Bond Election"), for the purpose of submitting to the electors of the City a proposition to incur bonded indebtedness in the amount of $248,000,000 to finance the Project, and such proposition was approved by not less than a two-thirds vote of the qualified electors of the City voting on such proposition; and

WHEREAS, By Resolution No. 24-12 (the "Authorizing Resolution"), adopted by the Board of Supervisors on January 24, 2012, and signed by the Mayor on February 3, 2012, the City authorized the issuance of its General Obligation Bonds (Road Repaving and Street Safety Bonds, 2011), Series 2012C (the "Bonds") in an aggregate principal amount not to exceed $248,000,000; and

WHEREAS, By Resolution No. 25-12, adopted by the Board of Supervisors on January 24, 2012, and signed by the Mayor on February 3, 2012, the City authorized the issuance of said General Obligation Bonds (Road Repaving and Street Safety Bonds, 2011), Series 2012C in an amount not to exceed $76,500,000, which Series 2012C Bonds were subsequently issued in the principal amount of $74,295,000; and

WHEREAS, The City has issued and sold, to date, a total of $74,295,000 of the Bonds; and there remains $173,705,000 of authorized and unissued Bonds; and,

WHEREAS, It is necessary and desirable to issue an additional series of the Bonds in an aggregate principal amount of the Bonds not to exceed of $133,275,000 (the "Series

2013C Bonds"), to finance a portion of the costs of the Project (as defined in the Authorizing Resolution); and

WHEREAS, The Series 2013C Bonds are being issued pursuant to the Authorizing Resolution and Title 5, Division 2, Part 1, Chapter 3, Article 4.5 of the California Government Code, the Charter of the City (the "Charter"), the Bond Ordinance and the Bond Election; and

WHEREAS, The City has paid and expects to pay certain expenditures in connection with the Project to be financed by the Series 2013C Bonds prior to the issuance and sale of the Series 2013C Bonds, and the City intends to reimburse itself and to pay third parties for such prior expenditures from the proceeds of the Series 2013C Bonds; and

WHEREAS, Section 1.150-2 of the Treasury Regulations promulgated under the Internal Revenue Code of 1986 (the "Reimbursement Regulations") requires the City to declare its reasonable official intent to reimburse prior expenditures with the proceeds of a subsequent borrowing; and

WHEREAS, The Reimbursement Regulations require that any reimbursement allocation of proceeds of the Series 2013C Bonds to be made with respect to expenditures incurred prior to the issuance of the Series 2013C Bonds will occur not later than eighteen (18) months after the later of (i) the date on which the expenditure is paid or (ii) the date on which the facilities are placed in service, but in no event later than three (3) years after the expenditure is paid; and

WHEREAS, The Citizens' General Obligation Bond Oversight Committee shall conduct an annual review of bond spending and shall provide an annual report on the management of the program to the Mayor and the Board, and, to the extent permitted by law, one-tenth of one percent (0.1%) of the gross proceeds of the Series 2013C Bonds shall be deposited in a fund established by the Controller's Office and appropriated by the Board at the direction of the

Citizens' General Obligation Bond Oversight Committee to cover the costs of such Committee and its review process; now, therefore, be it

RESOLVED by the Board of Supervisors of the City and County of San Francisco, as follows:

Section 1. Recitals. All of the recitals in this Resolution are true and correct.

Section 2. Conditions Precedent. All conditions, things and acts required by law to exist, to happen and to be performed precedent to and in connection with the issuance of the Series 2013C Bonds exist, have happened and have been performed in due time, form and manner in accordance with applicable law, and the City is now authorized pursuant to the Bond Election, the Charter and applicable law to incur indebtedness in the manner and form provided in this Resolution.

Section 3. Documents. The documents presented to the Board and on file with the Clerk of the Board of Supervisors or designee thereof (the "Clerk of the Board of Supervisors") are contained in File No. 130381.

Section 4. Issuance and Sale of Series 2013C Bonds; Determination of Certain Terms; Designation. The Board authorizes the issuance and sale of not to exceed $133,275,000 in aggregate principal amount of Bonds to be designated as "City and County of San Francisco General Obligation Bonds (Road Repaving and Street Safety Bonds, 2011), Series 2013C," for the purposes set forth in the Bond Election Ordinance and Proposition B approved by the voters at the Bond Election.

The Director of Public Finance of the City or designee thereof (the "Director of Public Finance") is authorized to determine, for the Series 2013C Bonds, the sale date, the interest rates, the definitive principal amount, the maturity dates and the redemption dates, if any, and the terms of any optional or mandatory redemption, subject to the other specific provisions of this Resolution, including the following terms and conditions: (i) the Series 2013C Bonds shall

not have a true interest cost in excess of 12% (as such term is defined in the Official Notice of Sale (as defined in Section 17)); and (ii) the Series 2013C Bonds shall not have a final maturity date after June 15, 2033. The Director of Public Finance is further authorized to give the Series 2013C Bonds such additional or other series designation, or to modify such series designation, as may be necessary or appropriate to distinguish the Series 2013C Bonds from every other series of Bonds and from other bonds issued by the City.

Section 5. Execution, Authentication and Registration of the Series 2013C Bonds. Each of the Series 2013C Bonds shall be in fully registered form without coupons in denominations of $5,000 or any integral multiple of that amount. The officers of the City are directed to cause the Series 2013C Bonds to be prepared in sufficient quantity for delivery to or for the account of their purchaser and the Controller or designee thereof (the "Controller") is directed to cause the blanks in the Series 2013C Bonds to be completed in accordance with the Authorizing Resolution and the Bond Award (as defined in Section 13), to procure their execution by the proper officers of the City (including by facsimile signature if necessary or convenient) and authentication as provided in this Section, and to deliver the Series 2013C Bonds when so executed and authenticated to said purchaser in exchange for their purchase price, all in accordance with the Authorizing Resolution.

The Series 2013C Bonds and the certificate of authentication and registration, to be manually executed by the Treasurer of the City or designee thereof (the "City Treasurer"), and the form of assignment to appear on the Series 2013C Bonds shall be substantially in the form attached as Exhibit A (a copy of which is on file with the Clerk of the Board of Supervisors and which is declared to be a part of this Resolution as if fully set forth in this Resolution), with necessary or appropriate variations, omissions and insertions as permitted or required by this Resolution.

Only Series 2013C Bonds bearing a certificate of authentication and registration executed by the City Treasurer shall be valid or obligatory for any purpose or entitled to the benefits of the Authorizing Resolution and this Resolution, and such certificate of the City Treasurer, executed as provided in this Resolution, shall be conclusive evidence that the Series 2013C Bonds so authenticated have been duly authenticated and delivered under, and are entitled to the benefits of, the Authorizing Resolution and this Resolution.

The Controller shall assign a distinctive letter, or number, or letter and number to each Series 2013C Bond authenticated and registered by the City Treasurer and shall maintain a record thereof which shall be available for inspection.

Section 6. Registration Books. The City Treasurer shall keep or cause to be kept, at the office of the City Treasurer or at the designated office of any registrar appointed by the City Treasurer, separate and sufficient books for the registration and transfer of Series 2013C Bonds, which books shall at all times be open to inspection, and upon presentation for such purpose, the City Treasurer shall, under such reasonable regulations as he or she may prescribe, register or transfer or cause to be registered or transferred, on said books, Series 2013C Bonds as provided in this Resolution. The City and the City Treasurer may treat the registered owner of each Series 2013C Bond as its absolute owner for all purposes, and the City and the City Treasurer shall not be affected by any notice to the contrary.

Section 7. Transfer or Exchange of Series 2013C Bonds. Any Series 2013C Bond may, in accordance with its terms, be transferred upon the books required to be kept pursuant to the provisions of Section 6, by the person in whose name it is registered, in person or by the duly authorized attorney of such person in writing, upon surrender of such Series 2013C Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the City Treasurer.

Any Series 2013C Bond may be exchanged at the office of the City Treasurer for a like aggregate principal amount of other authorized denominations of the same interest rate and maturity.

Whenever any Series 2013C Bond shall be surrendered for transfer or exchange, the designated City officials shall execute (as provided in Section 5) and the City Treasurer shall authenticate and deliver a new Series 2013C Bond of the same interest rate and maturity in a like aggregate principal amount. The City Treasurer shall require the payment by any bond owner requesting any such transfer of any tax or other governmental charge required to be paid with respect to such transfer or exchange.

No transfer or exchange of Series of 2013A Bonds shall be required to be made by the City Treasurer during the period from the Record Date (as defined in Section 8(b)) next preceding each interest payment date to such interest payment date or after a notice of redemption shall have been mailed with respect to such Series 2013C Bonds.

Section 8. Terms of the Series 2013C Bonds; General Redemption Provisions.

(a) Date of the Series 2013C Bonds. The Series 2013C Bonds shall be dated the date of their delivery or such other date (the "Dated Date") as is specified in the Bond Award.

(b) Payment of the Series 2013C Bonds. The principal of the Series 2013C Bonds shall be payable in lawful money of the United States of America to their owners, upon surrender at maturity or earlier redemption at the office of the City Treasurer. The interest on the Series 2013C Bonds shall be payable in like lawful money to the person whose name appears on the bond registration books of the City Treasurer as the owner as of the close of business on the last day of the month immediately preceding an interest payment date (the "Record Date"), whether or not such day is a Business Day (as defined below).

Except as may be otherwise provided in connection with any book-entry only system applicable to the Series 2013C Bonds, payment of the interest on any Series 2013C Bond

shall be made by check mailed on the interest payment date to such owner at such owner's address as it appears on the registration books as of the Record Date; provided, that if any interest payment date occurs on a day that banks in California or New York are closed for business or the New York Stock Exchange is closed for business, then such payment shall be made on the next succeeding day that banks in both California and New York are open for business and the New York Stock Exchange is open for business (each, a "Business Day"); and provided, further, that the registered owner of an aggregate principal amount of at least $1,000,000 of Series 2013C Bonds may submit a written request to the City Treasurer on or before a Record Date preceding an interest payment date for payment of interest on the next succeeding interest payment date and thereafter by wire transfer to a commercial bank located within the United States of America.

For so long as any Series 2013C Bonds are held in book-entry form by a securities depository selected by the City pursuant to Section 11, payment shall be made to the registered owner of the Series 2013C Bonds designated by such securities depository by wire transfer of immediately available funds.

(c) Interest on the Series 2013C Bonds. The Series 2013C Bonds shall bear interest at rates to be determined upon the sale of the Series 2013C Bonds, calculated on the basis of a 360-day year comprised of twelve 30-day months, payable on December 15, 2013 (or such other date as may be designated in the Bond Award), and semiannually thereafter on June 15 and December 15 of each year. Each Series 2013C Bond shall bear interest from the interest payment date next preceding the date of its authentication unless it is authenticated as of a day during the period from the Record Date next preceding any interest payment date to the interest payment date, inclusive, in which event it shall bear interest from such interest payment date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from the Dated Date; provided, that if, at the time of authentication of any

Series 2013C Bond, interest is in default on the Series 2013C Bonds, such Series 2013C Bond shall bear interest from the interest payment date to which interest has previously been paid or made available for payment on the Series 2013C Bonds or from the Dated Date if the first interest payment is not made.

(d) Optional Redemption. The Series 2013C Bonds shall be subject to optional redemption prior to maturity as provided in the Official Notice of Sale or the Bond Award.

(e) Mandatory Redemption. The Series 2013C Bonds shall be subject to mandatory redemption at par, by lot, in any year in which the purchaser has designated that the principal amount payable with respect to that year shall constitute a mandatory sinking fund payment as permitted by the Official Notice of Sale. Any Series 2013C Bonds subject to mandatory redemption shall be designated as such in the Official Notice of Sale or the Bond Award.

The principal of and interest on the Series 2013C Bonds subject to mandatory redemption shall be paid from the Series 2013C Bond Account (as defined in Section 9), pursuant to Section 9. In lieu of any such mandatory redemption for Series 2013C Bonds, at any time prior to the selection of Series 2013C Bonds for mandatory redemption, the City may apply amounts on deposit in the Series 2013C Bond Account to make such payment to the purchase, at public or private sale, of Series 2013C Bonds subject to such mandatory redemption, and when and at such prices not in excess of the principal amount thereof (including sales commission and other charges but excluding accrued interest), as the City may determine.

(f) Selection of Series 2013C Bonds for Redemption. Whenever less than all of the outstanding Series 2013C Bonds are called for redemption on any date, the City Treasurer will select the maturities of the Series 2013C Bonds to be redeemed in the sole discretion of the City Treasurer. Whenever less than all of the outstanding Series 2013C Bonds maturing

on any one date are called for redemption on any one date, the City Treasurer will select the Series 2013C Bonds or portions thereof, in denominations of $5,000 or any integral multiple thereof, to be redeemed from the outstanding Series 2013C Bonds maturing on such date not previously selected for redemption, by lot, in any manner which the City Treasurer deems fair.

(g) Notice of Redemption. The date on which Series 2013C Bonds that are called for redemption are to be presented for redemption is called the "Redemption Date." The City Treasurer shall mail, or cause to be mailed, notice of any redemption of Series 2013C Bonds, postage prepaid, to the respective registered owners at the addresses appearing on the bond registration books not less than twenty (20) nor more than sixty (60) days prior to the Redemption Date. The notice of redemption shall (a) state the Redemption Date; (b) state the redemption price; (c) state the maturity dates of the Series 2013C Bonds to be redeemed and, if less than all of any such maturity is called for redemption, the distinctive numbers of the Series 2013C Bonds of such maturity to be redeemed, and in the case of any Series 2013C Bonds to be redeemed in part only, the respective portions of the principal amount to be redeemed; (d) state the CUSIP number, if any, of each Series 2013C Bond to be redeemed; (e) require that such Series 2013C Bonds be surrendered by the owners at the office of the City Treasurer or his or her agent; and (f) give notice that interest on such Series 2013C Bonds or portions of Series 2013C Bonds to be redeemed will cease to accrue after the Redemption Date. Notice of optional redemption may be conditional upon receipt of funds or other event specified in the notice of redemption as provided in subsection (j) of this Section 8.

The actual receipt by the owner of any Series 2013C Bond of notice of such redemption shall not be a condition precedent to redemption, and failure to receive such notice, or any defect in such notice so mailed, shall not affect the validity of the proceedings

for the redemption of such Series 2013C Bonds or the cessation of accrual of interest on such Series 2013C Bonds on the Redemption Date.

Notice of redemption also shall be given, or caused to be given by the City Treasurer, by (i) registered or certified mail, postage prepaid, (ii) confirmed facsimile transmission, (iii) overnight delivery service, or (iv) to the extent acceptable to the intended recipient, email or similar electronic means, to (a) all organizations registered with the Securities and Exchange Commission as securities depositories and (b) such other services or organizations as may be required in accordance with the Continuing Disclosure Certificate described in Section 19.

The notice or notices required for redemption shall be given by the City Treasurer or any agent appointed by the City. A certificate of the City Treasurer or such other appointed agent of the City that notice of redemption has been given to the owner of any Series 2013C Bond to be redeemed in accordance with this Resolution shall be conclusive against all parties.

(h) Series 2013C Redemption Account. At the time the City Treasurer or the Controller of the City or his or her designee (the "Controller") determines to optionally call and redeem any of the Series 2013C Bonds, the City Treasurer or his or her agent shall establish a redemption account to be described or known as the "General Obligation Bonds, Series 2013C Redemption Account" (the "Series 2013C Redemption Account"), and prior to or on the Redemption Date there must be set aside in the Series 2013C Redemption Account moneys available for the purpose and sufficient to redeem, as provided in this Resolution, the Series 2013C Bonds designated in said notice of redemption, subject to the provisions of subsection (j) of this Section. Said moneys must be set aside in the Series 2013C Redemption Account solely for the purpose of, and shall be applied on or after the Redemption Date to, payment of the redemption price of the Series 2013C Bonds to be redeemed upon presentation and surrender of such Series 2013C Bonds. Any interest due on or prior to the Redemption Date

may be paid from the Series 2013C Bond Account as provided in Section 9 or from the Series 2013C Redemption Account. Moneys held from time to time in the Series 2013C Redemption Account shall be invested by the City Treasurer pursuant to the City's policies and guidelines for investment of moneys in the General Fund of the City. If, after all of the Series 2013C Bonds have been redeemed and canceled or paid and canceled, there are moneys remaining in the Series 2013C Redemption Account, said moneys shall be transferred to the General Fund of the City or to such other fund or account as required by applicable law; provided, that if said moneys are part of the proceeds of refunding bonds, said moneys shall be transferred pursuant to the resolution authorizing such refunding bonds.

(i) Effect of Redemption. When notice of optional redemption has been given substantially as provided in this Resolution, and when the amount necessary for the redemption of the Series 2013C Bonds called for redemption (principal, premium, if any, and accrued interest to such Redemption Date) is set aside for that purpose in the Series 2013C Redemption Account, the Series 2013C Bonds designated for redemption shall become due and payable on the Redemption Date, and upon presentation and surrender of said Series 2013C Bonds at the place specified in the notice of redemption, such Series 2013C Bonds shall be redeemed and paid at said redemption price out of said Series 2013C Redemption Account. No interest will accrue on such Series 2013C Bonds called for redemption after the Redemption Date and the registered owners of such Series 2013C Bonds shall look for payment of such Series 2013C Bonds only to the Series 2013C Redemption Account. All Series 2013C Bonds redeemed shall be canceled immediately by the City Treasurer and shall not be reissued.

(j) Conditional Notice of Redemption; Rescission of Redemption. Any notice of optional redemption given as provided in Section 8(g) may provide that such redemption is conditioned upon: (i) deposit in the Series 2013C Redemption Account of sufficient moneys to

redeem the Series 2013C Bonds called for optional redemption on the anticipated Redemption Date, or (ii) the occurrence of any other event specified in the notice of redemption. If conditional notice of redemption has been given substantially as provided in this subsection (j), and on the scheduled Redemption Date (i) sufficient moneys to redeem the Series 2013C Bonds called for optional redemption on the Redemption Date have not been deposited in the Series 2013C Redemption Account, or (ii) any other event specified in the notice of redemption as a condition to the redemption has not occurred, then (y) the Series 2013C Bonds for which conditional notice of redemption was given shall not be redeemed on the anticipated Redemption Date and shall remain Outstanding for all purposes of this Resolution, and (z) the redemption not occurring shall not constitute a default under this Resolution or the Authorizing Resolution.

The City may rescind any optional redemption and notice of it for any reason on any date prior to any Redemption Date by causing written notice of the rescission to be given to the owners of all Series 2013C Bonds so called for redemption. Notice of any such rescission of redemption shall be given in the same manner notice of redemption was originally given. The actual receipt by the owner of any Series 2013C Bond of notice of such rescission shall not be a condition precedent to rescission, and failure to receive such notice or any defect in such notice so mailed shall not affect the validity of the rescission.

Section 9. Series 2013C Bond Account. There is established with the City Treasurer a special subaccount in the General Obligation Bonds (Road Repaving and Street Safety Bonds, 2011) Bond Account (the "Bond Account") created pursuant to the Authorizing Resolution to be designated the "General Obligation Bonds, Series 2013C Bond Subaccount" (the "Series 2013C Bond Account"), to be held separate and apart from all other accounts of the City. All interest earned on amounts on deposit in the Series 2013C Bond Account shall be retained in the Series 2013C Bond Account.

On or prior to the date on which any payment of principal of or interest on the Series 2013C Bonds is due, including any Series 2013C Bonds subject to mandatory redemption on said date, the City Treasurer shall allocate to and deposit in the Series 2013C Bond Account, from amounts held in the Bond Account, an amount which, when added to any available moneys contained in the Series 2013C Bond Account, is sufficient to pay principal of and interest on the Series 2013C Bonds on such date

On or prior to the date on which any Series 2013C Bonds are to be redeemed at the option of the City pursuant to this Resolution, the City Treasurer may allocate to and deposit in the Series 2013C Redemption Account, from amounts held in the Bond Account pursuant to Section 8 of the Authorizing Resolution, an amount which, when added to any available moneys contained in the Series 2013C Redemption Account, is sufficient to pay principal, interest and premium, if any, with respect to such Series 2013C Bonds on such date. The City Treasurer may make such other provision for the payment of principal of and interest and any redemption premium on the Series 2013C Bonds as is necessary or convenient to permit the optional redemption of the Series 2013C Bonds.

Amounts in the Series 2013C Bond Account may be invested in any investment of the City in which moneys in the General Fund of the City are invested. The City Treasurer may (i) commingle any of the moneys held in the Series 2013C Bond Account with other City moneys or (ii) deposit amounts credited to the Series 2013C Bond Account into a separate fund or funds for investment purposes only; provided, that all of the moneys held in the Series 2013C Bond Account shall be accounted for separately notwithstanding any such commingling or separate deposit by the City Treasurer.

Section 10. Series 2013C Project Account. There is established with the City Treasurer a special subaccount in the General Obligation Bonds (Road Repaving and Street Safety Bonds, 2011) Project Account (the "Project Account") created pursuant to the

Authorizing Resolution to be designated the "General Obligation Bonds, Series 2013C Project Subaccount" (the "Series 2013C Project Account"), to be held separate and apart from all other accounts of the City. All interest earned on amounts on deposit in the Series 2013C Project Account shall be retained in the Series 2013C Project Account. Amounts in the Series 2013C Project Account shall be expended in accordance with the provisions of the Authorizing Resolution for the acquisition, construction or reconstruction of the Project (as defined in the Authorizing Resolution).

Amounts in the Series 2013C Project Account may be invested in any investment of the City in which moneys in the General Fund of the City are invested. The City Treasurer may (i) commingle any of the moneys held in the Series 2013C Project Account with other City moneys or (ii) deposit amounts credited to the Series 2013C Project Account into a separate fund or funds for investment purposes only; provided, that all of the moneys held in the Series 2013C Project Account (including interest earnings) shall be accounted for separately notwithstanding any such comingling or separate deposit by the City Treasurer.

The City Treasurer is authorized to pay or cause to be paid from the proceeds of the Series 2013C Bonds, on behalf of the City, the costs of issuance associated with the Series 2013C Bonds. Costs of issuance of the Series 2013C Bonds shall include, without limitation, bond and financial printing expenses, mailing and publication expenses, rating agency fees, the fees and expenses of paying agents, registrars, financial consultants, disclosure counsel and co-bond counsel, and the reimbursement of departmental expenses in connection with the issuance of the Series 2013C Bonds.

Section 11. Appointment of Depositories and Other Agents. The City Treasurer is authorized and directed to appoint one or more depositories as he or she may deem desirable and the procedures set forth in Section 6, Section 7 and Section 8 relating to registration of ownership of the Series 2013C Bonds and payments and redemption notices to owners of the

Series 2013C Bonds may be modified to comply with the policies and procedures of such depository. The City will not have any responsibility or obligation to any purchaser of a beneficial ownership interest in any Series 2013C Bonds or to any participants in such a depository with respect to (i) the accuracy of any records maintained by such securities depository or any participant therein; (ii) any notice that is permitted or required to be given to the owners of Series 2013C Bonds under this Resolution; (iii) the selection by such securities depository or any participant therein of any person to receive payment in the event of a partial redemption of Series 2013C Bonds; (iv) the payment by such securities depository or any participant therein of any amount with respect to the principal or redemption premium, if any, or interest due with respect to Series 2013C Bonds; (v) any consent given or other action taken by such securities depository as the owner of Series 2013C Bonds; or (vi) any other matter.

The Depository Trust Company ("DTC") is appointed as depository for the Series 2013C Bonds. The Series 2013C Bonds shall be initially issued in book-entry form. Upon initial issuance, the ownership of each Series 2013C Bond shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. So long as each Series 2013C Bond is registered in book-entry form, each Series 2013C Bond shall be registered in the name of Cede & Co. or in the name of such successor nominee as may be designated from time to time by DTC or any successor as depository.

The City Treasurer is also authorized and directed to appoint one or more agents as he or she may deem necessary or desirable. To the extent permitted by applicable law and under the supervision of the City Treasurer, such agents may serve as paying agent, fiscal agent, rebate calculation agent, escrow agent or registrar for the Series 2013C Bonds or may assist the City Treasurer in performing any or all of such functions and such other duties as the City Treasurer shall determine. Such agents shall serve under such terms and conditions

as the City Treasurer shall determine. The City Treasurer may remove or replace agents appointed pursuant to this paragraph at any time.

Section 12. Defeasance Provisions. Payment of all or any portion of the Series 2013C Bonds may be provided for prior to such Series 2013C Bonds' respective stated maturities by irrevocably depositing with the City Treasurer (or any commercial bank or trust company designated by the City Treasurer to act as escrow agent):

(a) An amount of cash equal to the principal amount of all of the Series 2013C Bonds or portion thereof to be defeased, and all unpaid interest thereon to maturity, except that in the case of any portion of the Series 2013C Bonds that is to be redeemed prior to such Series 2013C Bonds' respective stated maturities and in respect of which notice of such redemption shall have been given as provided in Section 8 or an irrevocable election to give such notice shall have been made by the City, the amount to be deposited shall be the principal amount thereof, all unpaid interest thereon to the Redemption Date, and premium, if any, due on such Redemption Date; or

(b) Defeasance Securities (as defined below) not subject to call, except as provided below in the definition of that term, maturing and paying interest at such times and in such amounts, together with interest earnings and cash, if required, as will, without reinvestment, as certified by an independent certified public accountant, be fully sufficient to pay the principal and all unpaid interest to maturity, or to the Redemption Date, as the case may be, and premium, if any, due on the portion of the Series 2013C Bonds to be redeemed, as such principal and interest come due; provided, that, in the case of Series 2013C Bonds that are to be redeemed prior to maturity, notice of such redemption shall be given as provided in Section 8 or an irrevocable election to give such notice shall have been made by the City; then, all obligations of the City with respect to said outstanding Series 2013C Bonds shall cease and terminate, except only the obligation of the City to pay or cause to be paid from the funds

deposited pursuant to paragraphs (a) or (b) of this Section 12 to the owners of such Series 2013C Bonds all sums due with respect thereto and the obligations of the City pursuant to Section 18; and provided further, that the City shall have received an opinion of nationally recognized bond counsel that provision for the payment of such Series 2013C Bonds has been made in accordance with this Section 12.

For purposes of this Section 12, "Defeasance Securities" shall mean any of the following that at the time are legal investments under the laws of the State of California for the moneys proposed to be invested:

(1) United States Obligations (as defined below); and

(2) Pre-refunded fixed interest rate municipal obligations meeting the following conditions: (a) the municipal obligations are not subject to redemption prior to maturity, or the trustee or paying agent has been given irrevocable instructions concerning their calling and redemption and the issuer has covenanted not to redeem such obligations other than as set forth in such instructions; (b) the municipal obligations are secured by cash or United States Obligations; (c) the principal of and interest on the United States Obligations (plus any cash in the escrow fund or the Series 2013C Redemption Account) are sufficient to meet the liabilities of the municipal obligations; (d) the United States Obligations serving as security for the municipal obligations are held by an escrow agent or trustee; (e) the United States Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and (f) the municipal obligations are rated, without regard to any numerical modifier, plus or minus sign or other modifier, at the time of original deposit to the escrow fund, by any two Rating Agencies (as defined below) not lower than the rating then maintained by such Rating Agencies on such United States Obligations.

For purposes of this Section 12, "United States Obligations" means (i) direct and general obligations of the United States of America, or obligations that are unconditionally

guaranteed as to principal and interest by the United States of America, including without limitation, the interest component of Resolution Funding Corporation (REFCORP) bonds that have been stripped by request to the Federal Reserve Bank of New York in book-entry form or (ii) any security issued by an agency or instrumentality of the United States of America that is selected by the Director of Public Finance that results in the escrow fund being rated by any two Rating Agencies at the time of the initial deposit to the escrow fund and upon any substitution or subsequent deposit to the escrow fund, not lower than the rating then maintained by such Rating Agencies on United States Obligations described in clause (i) above.

For purposes of this Section 12, "Rating Agencies" means Moody's Investors Service, Inc., Fitch Ratings, and Standard and Poor's Rating Services, a division of The McGraw-Hill Companies, Inc., or any other nationally recognized bond rating agency that is the successor to any of the foregoing rating agencies or that is otherwise established after the date hereof.

Section 13. Official Notice of Sale; Receipt of Bids; Bond Award.

(a) Official Notice of Sale. The form of proposed Official Notice of Sale inviting bids for the Series 2013C Bonds (the "Official Notice of Sale") submitted to the Board is approved and adopted as the Official Notice of Sale inviting bids for the Series 2013C Bonds, with such changes, additions and modifications as may be made in accordance with Section 20. The Director of Public Finance is authorized and directed to cause to be mailed or otherwise circulated to prospective bidders for the Series 2013C Bonds copies of the Official Notice of Sale, subject to such corrections, revisions or additions as may be acceptable to the Director of Public Finance.

(b) Receipt of Bids. Bids shall be received on the date designated by the Director of Public Finance pursuant to Section 4.

(c) Bond Award. As provided in the Official Notice of Sale, the City may reject any and all bids received for any reason. The Controller is authorized to award the Series 2013C Bonds to the responsible bidder whose bid (a) is timely received and conforms to the Official Notice of Sale, except to the extent informalities and irregularities are waived by the City as permitted by the Official Notice of Sale, and (b) represents the lowest true interest cost to the City in accordance with the procedures described in the Official Notice of Sale. The award, if made, shall be set forth in a certificate signed by the Controller setting forth the terms of the Series 2013C Bonds and the original purchasers (the "Bond Award"). The Controller shall provide a copy of the Bond Award as soon as practicable to the Clerk of the Board of Supervisors and the Director of Public Finance; provided, that failure to provide such copy shall not affect the validity of the Bond Award.

Section 14. Publication of Notice of Intention to Sell Bonds. The form of proposed Notice of Intention to Sell the Series 2013C Bonds (the "Notice of Intention to Sell Bonds") submitted to the Board is approved and adopted as the Notice of Intention to Sell the Series 2013C Bonds, and the Director of Public Finance is authorized and directed to cause the Notice of Intention to Sell Bonds, subject to such corrections, revisions or additions as may be made in accordance with Section 20, to be published once in The Bond Buyer or another financial publication generally circulated throughout the State of California.

Section 15. Sale of Series 2013C Bonds; Solicitation of Competitive Bids. The Board authorizes the sale of the Series 2013C Bonds by solicitation of competitive bids for the purchase of the Series 2013C Bonds on the date and at the place determined in accordance with the Official Notice of Sale and Section 4.

Section 16. Disposition of Proceeds of Sale. The proceeds of sale of the Series 2013C Bonds shall be applied by the City Treasurer as follows: (a) accrued interest, if any, shall be deposited into the Series 2013C Bond Account; (b) premium, if any, shall be

deposited into the Series 2013C Bond Account; and (iii) remaining proceeds of sale shall be deposited into the Series 2013C Project Account.

Section 17. Official Statement. The form of proposed Preliminary Official Statement describing the Series 2013C Bonds (the "Preliminary Official Statement") submitted to the Board is approved and adopted as the Preliminary Official Statement describing the Series 2013C Bonds, with such additions, corrections and revisions as may be determined to be necessary or desirable made in accordance with Section 20. The Controller is authorized to cause the distribution of a Preliminary Official Statement deemed final for purposes of Securities and Exchange Commission Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended (the "Rule"), and to sign a certificate to that effect. The Director of Public Finance is authorized and directed to cause to be printed and mailed or electronically distributed to prospective bidders for the Series 2013C Bonds the Preliminary Official Statement in substantially the form of the Preliminary Official Statement approved and adopted by this Resolution, as completed, supplemented, corrected or revised. The Controller is authorized and directed to approve, execute, and deliver the final Official Statement with respect to the Series 2013C Bonds, which final Official Statement shall be in the form of the Preliminary Official Statement, with such additions, corrections and revisions as may be determined to be necessary or desirable made in accordance with Section 20 and as are permitted under the Rule. The Director of Public Finance is authorized and directed to cause to be printed and mailed or electronically distributed the final Official Statement to all actual initial purchasers of the Series 2013C Bonds.

Section 18. Tax Covenants.

(a) General. The City covenants with the holders of the Series 2013C Bonds that, notwithstanding any other provisions of this Resolution, it shall not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the

exclusion from gross income of interest on the Series 2013C Bonds under Section 103 of the Code, and the regulations issued thereunder, as the same may be amended from time to time, and any successor provisions of law. Reference to a particular section of the Code shall be deemed to be a reference to any successor to any such section. The City shall not, directly or indirectly, use or permit the use of proceeds of the Series 2013C Bonds or any of the property financed or refinanced with proceeds of the Series 2013C Bonds, or any portion thereof, by any person other than a governmental unit (as such term is used in Section 141 of the Code), in such manner or to such extent as would result in the loss of exclusion of interest on the Series 2013C Bonds from gross income for federal income tax purposes.

(b) Use of Proceeds. The City shall not take any action, or fail to take any action, if any such action or failure to take action would cause the Series 2013C Bonds to be "private activity bonds" within the meaning of Section 141 of the Code, and in furtherance thereof, shall not make any use of the proceeds of the Series 2013C Bonds or any of the property financed or refinanced with proceeds of the Series 2013C Bonds, or any portion thereof, or any other funds of the City, that would cause the Series 2013C Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. To that end, so long as any Series 2013C Bonds are outstanding, the City, with respect to such proceeds and property and such other funds, will comply with applicable requirements of the Code and all regulations of the United States Department of the Treasury issued thereunder, to the extent such requirements are, at the time, applicable and in effect. The City shall establish reasonable procedures necessary to ensure continued compliance with Section 141 of the Code and the continued qualification of the Series 2013C Bonds as "governmental bonds."

(c) Arbitrage. The City shall not, directly or indirectly, use or permit the use of any proceeds of the Series 2013C Bonds, or of any property financed or refinanced by the Series 2013C Bonds, or other funds of the City, or take or omit to take any action, that would cause

the Series 2013C Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code. To that end, the City shall comply with all requirements of Section 148 of the Code and all regulations of the United States Department of the Treasury issued thereunder to the extent such requirements are, at the time, in effect and applicable to the Series 2013C Bonds.

(d) Federal Guarantee. The City shall not make any use of the proceeds of the Series 2013C Bonds or any other funds of the City, or take or omit to take any other action, that would cause the Series 2013C Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

(e) Information Reporting. The City shall take or cause to be taken all necessary action to comply with the information reporting requirement of Section 149(e) of the Code with respect to the Series 2013C Bonds.

(f) Hedge Bonds. The City shall not make any use of the proceeds of the Series 2013C Bonds or any other amounts or property, regardless of the source, or take any action or refrain from taking any action that would cause the Series 2013C Bonds to be considered "hedge bonds" within the meaning of Section 149(g) of the Code unless the City takes all necessary action to assure compliance with the requirements of Section 149(g) of the Code.

(g) Compliance with Tax Certificate. In furtherance of the foregoing tax covenants of this Section 18, the City covenants that it will comply with the provisions of the Tax Certificate to be executed by the City with respect to the Series 2013C Bonds, dated the date of issuance of the Series 2013C Bonds, as such Tax Certificate may be amended from time to time. This covenant shall survive payment in full or defeasance of the Series 2013C Bonds.

Section 19. Continuing Disclosure Certificate. The form of Continuing Disclosure Certificate (the "Continuing Disclosure Certificate"), to be signed by the City to permit the original purchasers of the Series 2013C Bonds to comply with the Rule, submitted to the Board is approved and adopted as the Continuing Disclosure Certificate, with such additions,

corrections and revisions as may be determined to be necessary or desirable made in accordance with Section 20. The Controller is authorized and directed to execute the Continuing Disclosure Certificate on behalf of the City and deliver the Continuing Disclosure Certificate to the original purchasers of the Series 2013C Bonds.

Section 20. Modification to Documents. Any City official authorized by this Resolution to execute any document is further authorized, in consultation with the City Attorney and co-bond counsel, to approve and make such changes, additions, amendments or modifications to the document or documents such official is authorized to execute as may be necessary or advisable (provided, that such changes, additions, amendments or modifications shall not authorize an aggregate principal amount of Series 2013C Bonds in excess of $133,275,000 or conflict with the provisions of Section 4). The approval of any change, addition, amendment or modification to any of the aforementioned documents shall be evidenced conclusively by the execution and delivery of the document in question.

Section 21. Ratification. All actions previously taken by officials, employees and agents of the City with respect to the sale and issuance of the Series 2013C Bonds are approved, confirmed and ratified.

Section 22. Relationship to Authorizing Resolution. In the event of any conflict between this Resolution and the Authorizing Resolution, the terms of this Resolution shall control. Without limiting the foregoing and notwithstanding the provisions of the Authorizing Resolution, the City is not obligated to transfer money from the General Fund of the City to the Bond Account to pay the principal of or interest on the Series 2013C Bonds.

Section 23. Reimbursement. The City declares its official intent to reimburse prior expenditures of the City incurred prior to the issuance and sale of the Series 2013C Bonds in connection with the Project or portions thereof to be financed by the Series 2013C Bonds. The Board declares the City's intent to reimburse the City with the proceeds of the Series

2013C Bonds for the expenditures with respect to the Project (the "Expenditures" and each, an "Expenditure") made on and after that date that is no more than 60 days prior to adoption of this Resolution. The City reasonably expects on the date of adoption of this Resolution that it will reimburse the Expenditures with the proceeds of the Series 2013C Bonds.

Each Expenditure was and will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Series 2013C Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the City so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the City. The maximum aggregate principal amount of the Series 2013C Bonds expected to be issued for the Project is $133,275,000. The City shall make a reimbursement allocation, which is a written allocation by the City that evidences the City's use of proceeds of the Series 2013C Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The City recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain *de minimis* amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 24. Accountability Reports. The accountability requirements under the City's Administrative Code and the Bond Election Ordinance for the Series 2013C Bonds are hereby waived. Accountability report(s) with respect to the Series 2013C Bonds shall be submitted within 60 days (or as soon thereafter as possible) of any supplemental budgetary appropriation approval.

Section 25. Citizens' Oversight Committee. The Series 2013C Bonds are subject to, and incorporate by reference, the applicable provisions of the San Francisco Administrative Code Sections 5.30-5.36 (the "Citizens' General Obligation Bond Oversight Committee"), and, to the extent permitted by law, one tenth of one percent (0.1%) of the gross proceeds of the Series 2013C Bonds shall be deposited into a fund established by the Controller's Office and appropriated by the Board at the direction of the Citizens' General Obligation Bond Oversight Committee to cover the costs of such committee.

Section 26. CEQA Determination. The Board hereby reaffirms and incorporates by reference the CEQA findings and determinations set forth in Ordinance 148-11 as if set forth in full herein. The use of bond proceeds to finance any identified project or portion of any identified project will be subject, as necessary, to approval of the Board upon completion of planning and any further required environmental review under CEQA for the individual facilities and projects.

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Section 27. General Authority. The Clerk of the Board of Supervisors, the Mayor, the City Treasurer, the Director of Public Finance, the City Attorney and the Controller are each authorized and directed in the name and on behalf of the City to take any and all steps and to issue, deliver or enter into any and all certificates, requisitions, agreements, notices, consents, and other documents as may be necessary to give effect to the provisions of this Resolution, including but not limited to letters of representations to any depository or depositories, which they or any of them might deem necessary or appropriate in order to consummate the lawful issuance, sale and delivery of the Series 2013C Bonds.

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By: _____
Mark D. Blake
Deputy City Attorney

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Exhibit A

Unless this bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to City or its agent for registration of transfer, exchange, or payment, and any bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE OF THIS BOND FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Number R-__ UNITED STATES OF AMERICA Amount

STATE OF CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO

GENERAL OBLIGATION BONDS (ROAD REPAVING AND STREET SAFETY BONDS, 2011),

SERIES 2013C

Interest Rate	Maturity Date	Dated	CUSIP Number
____%	June 15, 20__	_____ __, 2013	_____

REGISTERED OWNER: Cede & Co.

PRINCIPAL AMOUNT: _____ Dollars

The City and County of San Francisco, State of California (the "**City**"), acknowledges itself indebted to and promises to pay to the Registered Owner specified above or registered assigns, on the Maturity Date specified above, the Principal Amount of this bond specified above in lawful money of the United States of America, and to pay interest on the Principal Amount in like lawful money from the interest payment date next preceding the date of authentication of this bond (unless this bond is authenticated as of the day during the period from the last day of the month next preceding any interest payment date (the "**Record Date**") to such interest payment date, inclusive, in which event it shall bear from such interest payment date, or unless this bond is authenticated on or before November 30, 2013, in which event it shall bear interest from its dated date) until payment of such Principal Amount, at the Interest Rate per year specified above calculated on the basis of a 360-day year comprised of twelve 30-day months, payable on December 15, 2013 and semiannually thereafter on June 15 and December 15 in each year; *provided*, that if any interest payment date occurs on a day that banks in California or New York are closed for business or the New York Stock Exchange is closed for business, then such payment shall be made on the next succeeding day that banks in both California and New York are open for business and the New York Stock Exchange is open for business (a "**Business Day**"). The principal of this bond is payable to the Registered Owner of this bond upon the surrender of this bond at the office of the Treasurer of the City (the "**City Treasurer**"). The interest on this bond is payable to the person whose name appears on the bond registration books of the City Treasurer as the Registered Owner of this bond as of the close of business on the Record Date immediately preceding an interest payment date, whether or not such day is a Business Day, such interest to be paid by check mailed on the interest payment date to such Registered Owner at the owner's address as it appears on such registration books; *provided*, that the Registered Owner of bonds in an aggregate principal amount of at least $1,000,000 may submit a written request to the City

Treasurer on or before the Record Date preceding any interest payment date for payment of interest by wire transfer to a commercial bank located in the United States of America.

This bond is one of a duly authorized issue of bonds (the "**Bonds**") of like tenor (except for such variations, if any, as may be required to designate varying numbers, denominations, interest rates and maturities), in the aggregate principal amount of $133,275,000, which is part of a bond authorization in the aggregate original principal amount of $248,000,000 authorized by the affirmative votes of more than two-thirds of the voters voting at a special election duly and legally called, held and conducted in the City on November 8, 2011 and is issued and sold by the City pursuant to and in strict conformity with the provisions of the Constitution and laws of the State of California, the Charter of the City and resolutions adopted by the Board of Supervisors of the City (the "**Board of Supervisors**") on January 24, 2012 and _____ __, 2013 (collectively, together with the related Certificate of Award, the "**Resolutions**").

The Bonds are issuable as fully registered bonds without coupons in the denominations of $5,000 or any integral multiple of such amount, *provided* that no bond shall have principal maturing on more than one principal maturity date. Subject to the limitations and conditions and upon payment of the charges, if any, provided in the Resolutions, the Bonds may be exchanged for a like aggregate principal amount of Bonds of other authorized denominations of the same interest rate and maturity.

This bond is transferable by its registered owner, in person or by its attorney duly authorized in writing, at the office of the City Treasurer, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolutions, and upon surrender and cancellation of this bond. Upon such transfer, a new bond or bonds of authorized denomination or denominations for the same interest rate and same aggregate principal amount will be issued to the transferee in exchange for this bond.

The City Treasurer will not be required to exchange or register the transfer of this bond during the period (a) from the Record Date for an interest payment date to the opening of business on such interest payment date or (b) after notice of redemption of this bond or any portion of this bond has been mailed.

Bonds maturing on and before June 15, 20__, are not redeemable prior to their maturity.

Bonds maturing on and after June 15, 20__, are subject to optional redemption from any available funds, in whole or in part, on any date on or after June 15, 20__, at a price equal to their principal amount plus in each case accrued interest to the date of redemption, without redemption premium. If less than all of the outstanding Bonds are to be redeemed, they may be redeemed in any order of maturity as determined by the City. If less than all of the outstanding Bonds of a maturity are to be redeemed, the Bonds or portions of Bonds of such maturity to be redeemed shall be selected by the City Treasurer, in authorized denominations of $5,000 or integral multiples of that amount, from among Bonds of that maturity not previously called for redemption, by lot, in any manner which the City Treasurer deems fair.

Bonds maturing on June 15, 20__, are subject to mandatory sinking fund redemption on June 15 of each of the years 20__ through 20__, inclusive, and at maturity in the respective amounts provided in the Resolutions.

Bonds maturing on June 15, 20__, are subject to mandatory sinking fund redemption on June 15 of each of the years 20__ through 20__, inclusive, and at maturity in the respective amounts provided in the Resolutions.

Notice of the redemption of Bonds which by their terms shall have become subject to redemption shall be given or caused to be given to the registered owner of each bond or portion of a bond called for redemption not less than 20 or more than 60 days before any date established for redemption of Bonds, by the City Treasurer on behalf of the City, first class

mail, postage prepaid, sent to the registered owner's last address, if any, appearing on the registration books kept by the City Treasurer. Official notices of redemption will contain the information specified in the Resolutions.

On or prior to any redemption date, the City is required to deposit an amount of money sufficient to pay the redemption price of all of the Bonds or portions of Bonds which are to be redeemed on that date or, in the case of optional redemptions only, the optional redemption and notice of it will be rescinded and the City's failure to deposit such amount will not be a default. In addition, the City may at its option rescind any optional redemption and notice of it for any reason on any date prior to the applicable redemption date. Notice of rescission of an optional redemption shall be given in the same manner as notice of redemption was originally given,

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless such redemption and notice of it shall have been rescinded or unless the City shall default in the payment of the redemption price), such Bonds or portions of Bonds shall cease to bear interest. Neither the failure to mail such redemption notice, nor any defect in any notice so mailed, to any particular registered owner, shall affect the sufficiency of such notice with respect to other Bonds.

Notice of redemption, or notice of rescission of an optional redemption, having been properly given, failure of a registered owner to receive such notice shall not be deemed to invalidate, limit or delay the effect of the notice or redemption action described in the notice.

The City and the City Treasurer may treat the registered owner of this bond as the absolute owner of this bond for all purposes, and the City and the City Treasurer shall not be affected by any notice to the contrary.

The City Treasurer may appoint agents to serve as bond registrar or paying agent, as

provided in the Resolutions.

The Board of Supervisors certifies, recites and declares that the total amount of indebtedness of the City, including the amount of this bond, is within the limit provided by law, that all acts, conditions and things required by law to be done or performed precedent to and in the issuance of this bond have been done and performed in strict conformity with the laws authorizing the issuance of this bond, that this bond is in the form prescribed by order of the Board of Supervisors duly made and entered on its minutes, and the money for the payment of principal of this bond, and the payment of interest thereon, shall be raised by taxation upon the taxable property of the City as provided in the Resolutions.

This bond shall not be entitled to any benefit under the Resolutions, or become valid or obligatory for any purpose, until the certificate of authentication and registration on this bond shall have been signed by the City Treasurer.

IN WITNESS WHEREOF the Board of Supervisors has caused this bond to be executed by the Mayor of the City and to be countersigned by the Clerk of the Board of Supervisors, all as of _____ __, 2013.

_____

Mayor of the City and
County of San Francisco

Countersigned:

_____

Clerk of the Board of Supervisors

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This is one of the bonds described in the within-mentioned Resolutions, which has been authenticated on the date set forth below.

Date of Authentication: _____

_____

Treasurer of the City and
County of San Francisco

ASSIGNMENT

The following abbreviations, when used in the inscription on this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

Unif Gift Min Act - _____ Custodian _____

(Cust) (Minor)

under Uniform Gifts to Minors Act _____

(State)

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as tenants in common

_____

(Name and Address of Assignee)

the within Bond and does irrevocably constitute and appoint _____

attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

/s/_____

Dated:

Signature guaranteed:

Notice: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Notice: The signature(s) should be guaranteed by an eligible guarantor institution (banks, stockbrokers, savings and loan associations and credit unions with membership in approved Signature Guarantee Medallion Program).

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130381 **Date Passed:** May 21, 2013

Resolution authorizing and directing the sale of not to exceed $133,275,000 aggregate principal amount of Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

May 15, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130381

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

The Authentication of the Bonds shall be by wet signature not by facsimile ACC

Angela Calvillo
Clerk of the Board

Mayor

5/28/13
Date Approved

FILE NO. 130382 RESOLUTION NO. 155-13

[Sale - Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B - Not to Exceed $31,905,000]

Resolution authorizing and directing the sale of not to exceed $31,905,000 aggregate principal amount of Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; Approving the Form of the Continuing Disclosure Certificate; Authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

WHEREAS, By Resolution No. 47-10, adopted by the Board of Supervisors (the "Board of Supervisors") of the City and County of San Francisco (the "City") on February 9, 2010, and signed by the Mayor of the City (the "Mayor") on February 26, 2010, it was determined that public interest and necessity demands the construction, acquisition, improvement, and retrofitting of earthquake safety and emergency responsiveness facilities and infrastructure therein described (the "Project"); and

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WHEREAS, By Ordinance No. 40-10, finally passed by the Board of Supervisors on February 23, 2010, and signed by the Mayor on February 26, 2010 (the "Bond Ordinance"), the Board of Supervisors duly called a special election to be held on June 8, 2010 (the "Bond Election"), for the purpose of submitting to the electors of the City a proposition to incur bonded indebtedness in the amount of $412,300,000 to finance the Project, and such proposition was approved by not less than a two-thirds vote of the qualified electors of the City voting on such proposition; and

WHEREAS, By Resolution No 516-10 (the "Authorizing Resolution"), adopted by the Board of Supervisors on November 2, 2010, and signed by the Mayor on November 5, 2010, the City authorized the issuance of its General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010) (the "Bonds"); and

WHEREAS, By Resolution No. 515-10, adopted by the Board of Supervisors on November 2, 2010, and signed by the Mayor on November 5, 2010, the City authorized two series of Bonds not to exceed $85,000,000 aggregate principal amount of said General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010) Series 2010E (Tax-Exempt), which Series 2010E Bonds were subsequently issued in the principal amount of $79,520,000, and said General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010), Series 2010F (Federally Taxable Build America Bonds), which Series 2010F Bonds were not issued; and

WHEREAS, By Resolution No. 17-12, adopted by the Board of Supervisors on January 24, 2012, and signed by the Mayor on February 2, 2012, the City authorized the issuance of said General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010), Series 2012A in an amount not to exceed $192,000,000, which Series 2012A Bonds were subsequently issued in the principal amount of $183,330,000; and

WHEREAS, By Resolution No. 231-12, adopted by the Board of Supervisors on June 12, 2012, and signed by the Mayor on June 18, 2012, the City authorized the issuance of said General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010), Series 2012E in an amount not to exceed $40,410,000, which Series 2012E Bonds were subsequently issued in the principal amount of $38,265,000; and

WHEREAS, The City has issued and sold, to date, a total of $301,115,000 of the Bonds; and there remains $111,455,000 of authorized and unissued Bonds; and,

WHEREAS, It is necessary and desirable to issue an additional aggregate principal amount of the Bonds not to exceed of $31,905,000 (the "Series 2013B Bonds"), to finance a portion of the costs of the Project (as defined in the Authorizing Resolution); and

WHEREAS, The Series 2013B Bonds are being issued pursuant to the Authorizing Resolution and Title 5, Division 2, Part 1, Chapter 3, Article 4.5 of the California Government Code, the Charter of the City (the "Charter"), the Bond Ordinance and the Bond Election; and

WHEREAS, The City has paid and expects to pay certain expenditures in connection with the Project to be financed by the Series 2013B Bonds prior to the issuance and sale of the Series 2013B Bonds, and the City intends to reimburse itself and to pay third parties for such prior expenditures from the proceeds of the Series 2013B Bonds; and

WHEREAS, Section 1.150-2 of the Treasury Regulations promulgated under the Internal Revenue Code of 1986 (the "Reimbursement Regulations") requires the City to declare its reasonable official intent to reimburse prior expenditures with the proceeds of a subsequent borrowing; and

WHEREAS, The Reimbursement Regulations require that any reimbursement allocation of proceeds of the Series 2013B Bonds to be made with respect to expenditures incurred prior to the issuance of the Series 2013B Bonds will occur not later than eighteen (18) months after the later of (i) the date on which the expenditure is paid or (ii) the date on

which the facilities are placed in service, but in no event later than three (3) years after the expenditure is paid; and

WHEREAS, The Citizens' General Obligation Bond Oversight Committee shall conduct an annual review of bond spending and shall provide an annual report on the management of the program to the Mayor and the Board, and, to the extent permitted by law, one-tenth of one percent (0.1%) of the gross proceeds of the Series 2013B Bonds shall be deposited in a fund established by the Controller's Office and appropriated by the Board at the direction of the Citizens' General Obligation Bond Oversight Committee to cover the costs of such Committee and its review process; now, therefore, be it

RESOLVED by the Board of Supervisors of the City and County of San Francisco, as follows:

Section 1. Recitals. All of the recitals in this Resolution are true and correct.

Section 2. Conditions Precedent. All conditions, things and acts required by law to exist, to happen and to be performed precedent to and in connection with the issuance of the Series 2013B Bonds exist, have happened and have been performed in due time, form and manner in accordance with applicable law, and the City is now authorized pursuant to the Bond Election, the Charter and applicable law to incur indebtedness in the manner and form provided in this Resolution.

Section 3. Documents. The documents presented to the Board and on file with the Clerk of the Board of Supervisors or his or her designee (the "Clerk of the Board of Supervisors") are contained in File No. 130382.

Section 4. Issuance and Sale of Series 2013B Bonds; Determination of Certain Terms; Designation. The Board authorizes the issuance and sale of not to exceed $32,700,000 in aggregate principal amount of Bonds to be designated as "City and County of San Francisco

General Obligation Bonds, Series 2013B," for the purposes set forth in the Bond Election Ordinance and Proposition A approved by the voters at the Bond Election.

The Director of Public Finance of the City or designee thereof (the "Director of Public Finance") is authorized to determine, for the Series 2013B Bonds, the sale date, the interest rates, the definitive principal amount, the maturity dates and the redemption dates, if any, and the terms of any optional or mandatory redemption, subject to the other specific provisions of this Resolution, including the following terms and conditions: (i) the Series 2013B Bonds shall not have a true interest cost in excess of 12% (as such term is defined in the Official Notice of Sale (as defined in Section 17)); and (ii) the Series 2013B Bonds shall not have a final maturity date after June 15, 2038. The Director of Public Finance is further authorized to give the Series 2013B Bonds such additional or other series designation, or to modify such series designation, as may be necessary or appropriate to distinguish the Series 2013B Bonds from every other series of Bonds and from other bonds issued by the City.

Section 5. Execution, Authentication and Registration of the Series 2013B Bonds. Each of the Series 2013B Bonds shall be in fully registered form without coupons in denominations of $5,000 or any integral multiple of that amount. The officers of the City are directed to cause the Series 2013B Bonds to be prepared in sufficient quantity for delivery to or for the account of their purchaser and the Controller is directed to cause the blanks in the Series 2013B Bonds to be completed in accordance with the Authorizing Resolution and the Bond Award (as defined in Section 13), to procure their execution by the proper officers of the City (including by facsimile signature if necessary or convenient) and authentication as provided in this Section, and to deliver the Series 2013B Bonds when so executed and authenticated to said purchaser in exchange for their purchase price, all in accordance with the Authorizing Resolution.

The Series 2013B Bonds and the certificate of authentication and registration, to be manually executed by the Treasurer of the City or designee thereof (the "City Treasurer"), and the form of assignment to appear on the Series 2013B Bonds shall be substantially in the form attached as Exhibit A (a copy of which is on file with the Clerk of the Board of Supervisors and which is declared to be a part of this Resolution as if fully set forth in this Resolution), with necessary or appropriate variations, omissions and insertions as permitted or required by this Resolution.

Only Series 2013B Bonds bearing a certificate of authentication and registration executed by the City Treasurer shall be valid or obligatory for any purpose or entitled to the benefits of the Authorizing Resolution and this Resolution, and such certificate of the City Treasurer, executed as provided in this Resolution, shall be conclusive evidence that the Series 2013B Bonds so authenticated have been duly authenticated and delivered under, and are entitled to the benefits of, the Authorizing Resolution and this Resolution.

The Controller shall assign a distinctive letter, or number, or letter and number to each Series 2013B Bond authenticated and registered by the City Treasurer and shall maintain a record thereof which shall be available for inspection.

Section 6. Registration Books. The City Treasurer shall keep or cause to be kept, at the office of the City Treasurer or at the designated office of any registrar appointed by the City Treasurer, separate and sufficient books for the registration and transfer of Series 2013B Bonds, which books shall at all times be open to inspection, and upon presentation for such purpose, the City Treasurer shall, under such reasonable regulations as he or she may prescribe, register or transfer or cause to be registered or transferred, on said books, Series 2013B Bonds as provided in this Resolution. The City and the City Treasurer may treat the registered owner of each Series 2013B Bond as its absolute owner for all purposes, and the City and the City Treasurer shall not be affected by any notice to the contrary.

Section 7. Transfer or Exchange of Series 2013B Bonds. Any Series 2013B Bond may, in accordance with its terms, be transferred upon the books required to be kept pursuant to the provisions of Section 6, by the person in whose name it is registered, in person or by the duly authorized attorney of such person in writing, upon surrender of such Series 2013B Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the City Treasurer.

Any Series 2013B Bond may be exchanged at the office of the City Treasurer for a like aggregate principal amount of other authorized denominations of the same interest rate and maturity.

Whenever any Series 2013B Bond shall be surrendered for transfer or exchange, the designated City officials shall execute (as provided in Section 5) and the City Treasurer shall authenticate and deliver a new Series 2013B Bond of the same interest rate and maturity in a like aggregate principal amount. The City Treasurer shall require the payment by any bond owner requesting any such transfer of any tax or other governmental charge required to be paid with respect to such transfer or exchange.

No transfer or exchange of Series of 2013B Bonds shall be required to be made by the City Treasurer during the period from the Record Date (as defined in Section 8(b)) next preceding each interest payment date to such interest payment date or after a notice of redemption shall have been mailed with respect to such Series 2013B Bonds.

Section 8. Terms of the Series 2013B Bonds; General Redemption Provisions.

(a) Date of the Series 2013B Bonds. The Series 2013B Bonds shall be dated the date of their delivery or such other date (the "Dated Date") as is specified in the Bond Award.

(b) Payment of the Series 2013B Bonds. The principal of the Series 2013B Bonds shall be payable in lawful money of the United States of America to their owners, upon surrender at maturity or earlier redemption at the office of the City Treasurer. The interest on

the Series 2013B Bonds shall be payable in like lawful money to the person whose name appears on the bond registration books of the City Treasurer as the owner as of the close of business on the last day of the month immediately preceding an interest payment date (the "Record Date"), whether or not such day is a Business Day (as defined below).

Except as may be otherwise provided in connection with any book-entry only system applicable to the Series 2013B Bonds, payment of the interest on any Series 2013B Bond shall be made by check mailed on the interest payment date to such owner at such owner's address as it appears on the registration books as of the Record Date; provided, that if any interest payment date occurs on a day that banks in California or New York are closed for business or the New York Stock Exchange is closed for business, then such payment shall be made on the next succeeding day that banks in both California and New York are open for business and the New York Stock Exchange is open for business (each, a "Business Day"); and provided, further, that the registered owner of an aggregate principal amount of at least $1,000,000 of Series 2013B Bonds may submit a written request to the City Treasurer on or before a Record Date preceding an interest payment date for payment of interest on the next succeeding interest payment date and thereafter by wire transfer to a commercial bank located within the United States of America.

For so long as any Series 2013B Bonds are held in book-entry form by a securities depository selected by the City pursuant to Section 11, payment shall be made to the registered owner of the Series 2013B Bonds designated by such securities depository by wire transfer of immediately available funds.

(c) Interest on the Series 2013B Bonds. The Series 2013B Bonds shall bear interest at rates to be determined upon the sale of the Series 2013B Bonds, calculated on the basis of a 360-day year comprised of twelve 30-day months, payable on December 15, 2013 (or such other date as may be designated in the Bond Award), and semiannually thereafter on June 15

and December 15 of each year. Each Series 2013B Bond shall bear interest from the interest payment date next preceding the date of its authentication unless it is authenticated as of a day during the period from the Record Date next preceding any interest payment date to the interest payment date, inclusive, in which event it shall bear interest from such interest payment date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from the Dated Date; provided, that if, at the time of authentication of any Series 2013B Bond, interest is in default on the Series 2013B Bonds, such Series 2013B Bond shall bear interest from the interest payment date to which interest has previously been paid or made available for payment on the Series 2013B Bonds or from the Dated Date if the first interest payment is not made.

(d) Optional Redemption. The Series 2013B Bonds shall be subject to optional redemption prior to maturity as provided in the Official Notice of Sale or the Bond Award.

(e) Mandatory Redemption. The Series 2013B Bonds shall be subject to mandatory redemption at par, by lot, in any year in which the purchaser has designated that the principal amount payable with respect to that year shall constitute a mandatory sinking fund payment as permitted by the Official Notice of Sale. Any Series 2013B Bonds subject to mandatory redemption shall be designated as such in the Official Notice of Sale or the Bond Award.

The principal of and interest on the Series 2013B Bonds subject to mandatory redemption shall be paid from the Series 2013B Bond Account (as defined in Section 9), pursuant to Section 9. In lieu of any such mandatory redemption for Series 2013B Bonds, at any time prior to the selection of Series 2013B Bonds for mandatory redemption, the City may apply amounts on deposit in the Series 2013B Bond Account to make such payment to the purchase, at public or private sale, of Series 2013B Bonds subject to such mandatory redemption, and when and at such prices not in excess of the principal amount thereof

(including sales commission and other charges but excluding accrued interest), as the City may determine.

(f) Selection of Series 2013B Bonds for Redemption. Whenever less than all of the outstanding Series 2013B Bonds are called for redemption on any date, the City Treasurer will select the maturities of the Series 2013B Bonds to be redeemed in the sole discretion of the City Treasurer. Whenever less than all of the outstanding Series 2013B Bonds maturing on any one date are called for redemption on any one date, the City Treasurer will select the Series 2013B Bonds or portions thereof, in denominations of $5,000 or any integral multiple thereof, to be redeemed from the outstanding Series 2013B Bonds maturing on such date not previously selected for redemption, by lot, in any manner which the City Treasurer deems fair.

(g) Notice of Redemption. The date on which Series 2013B Bonds that are called for redemption are to be presented for redemption is called the "Redemption Date." The City Treasurer shall mail, or cause to be mailed, notice of any redemption of Series 2013B Bonds, postage prepaid, to the respective registered owners at the addresses appearing on the bond registration books not less than twenty (20) nor more than sixty (60) days prior to the Redemption Date. The notice of redemption shall (a) state the Redemption Date; (b) state the redemption price; (c) state the maturity dates of the Series 2013B Bonds to be redeemed and, if less than all of any such maturity is called for redemption, the distinctive numbers of the Series 2013B Bonds of such maturity to be redeemed, and in the case of any Series 2013B Bonds to be redeemed in part only, the respective portions of the principal amount to be redeemed; (d) state the CUSIP number, if any, of each Series 2013B Bond to be redeemed; (e) require that such Series 2013B Bonds be surrendered by the owners at the office of the City Treasurer or his or her agent; and (f) give notice that interest on such Series 2013B Bonds or portions of Series 2013B Bonds to be redeemed will cease to accrue after the Redemption Date. Notice of optional redemption may be conditional upon receipt of funds or

other event specified in the notice of redemption as provided in subsection (j) of this Section 8.

The actual receipt by the owner of any Series 2013B Bond of notice of such redemption shall not be a condition precedent to redemption, and failure to receive such notice, or any defect in such notice so mailed, shall not affect the validity of the proceedings for the redemption of such Series 2013B Bonds or the cessation of accrual of interest on such Series 2013B Bonds on the Redemption Date.

Notice of redemption also shall be given, or caused to be given by the City Treasurer, by (i) registered or certified mail, postage prepaid, (ii) confirmed facsimile transmission, (iii) overnight delivery service, or (iv) to the extent acceptable to the intended recipient, email or similar electronic means, to (a) all organizations registered with the Securities and Exchange Commission as securities depositories and (b) such other services or organizations as may be required in accordance with the Continuing Disclosure Certificate described in Section 19.

The notice or notices required for redemption shall be given by the City Treasurer or any agent appointed by the City. A certificate of the City Treasurer or such other appointed agent of the City that notice of redemption has been given to the owner of any Series 2013B Bond to be redeemed in accordance with this Resolution shall be conclusive against all parties.

(h) Series 2013B Redemption Account. At the time the City Treasurer or the Controller of the City or his or her designee (the "Controller") determines to optionally call and redeem any of the Series 2013B Bonds, the City Treasurer or his or her agent shall establish a redemption account to be described or known as the "General Obligation Bonds, Series 2013B Redemption Account" (the "Series 2013B Redemption Account"), and prior to or on the Redemption Date there must be set aside in the Series 2013B Redemption Account moneys available for the purpose and sufficient to redeem, as provided in this Resolution, the Series

2013B Bonds designated in said notice of redemption, subject to the provisions of subsection (j) of this Section. Said moneys must be set aside in the Series 2013B Redemption Account solely for the purpose of, and shall be applied on or after the Redemption Date to, payment of the redemption price of the Series 2013B Bonds to be redeemed upon presentation and surrender of such Series 2013B Bonds. Any interest due on or prior to the Redemption Date may be paid from the Series 2013B Bond Account as provided in Section 9 or from the Series 2013B Redemption Account. Moneys held from time to time in the Series 2013B Redemption Account shall be invested by the City Treasurer pursuant to the City's policies and guidelines for investment of moneys in the General Fund of the City. If, after all of the Series 2013B Bonds have been redeemed and canceled or paid and canceled, there are moneys remaining in the Series 2013B Redemption Account, said moneys shall be transferred to the General Fund of the City or to such other fund or account as required by applicable law; provided, that if said moneys are part of the proceeds of refunding bonds, said moneys shall be transferred pursuant to the resolution authorizing such refunding bonds.

(i) Effect of Redemption. When notice of optional redemption has been given substantially as provided in this Resolution, and when the amount necessary for the redemption of the Series 2013B Bonds called for redemption (principal, premium, if any, and accrued interest to such Redemption Date) is set aside for that purpose in the Series 2013B Redemption Account, the Series 2013B Bonds designated for redemption shall become due and payable on the Redemption Date, and upon presentation and surrender of said Series 2013B Bonds at the place specified in the notice of redemption, such Series 2013B Bonds shall be redeemed and paid at said redemption price out of said Series 2013B Redemption Account. No interest will accrue on such Series 2013B Bonds called for redemption after the Redemption Date and the registered owners of such Series 2013B Bonds shall look for payment of such Series 2013B Bonds only to the Series 2013B Redemption Account. All

Series 2013B Bonds redeemed shall be canceled immediately by the City Treasurer and shall not be reissued.

(j) Conditional Notice of Redemption; Rescission of Redemption. Any notice of optional redemption given as provided in Section 8(g) may provide that such redemption is conditioned upon: (i) deposit in the Series 2013B Redemption Account of sufficient moneys to redeem the Series 2013B Bonds called for optional redemption on the anticipated Redemption Date, or (ii) the occurrence of any other event specified in the notice of redemption. If conditional notice of redemption has been given substantially as provided in this subsection (j), and on the scheduled Redemption Date (i) sufficient moneys to redeem the Series 2013B Bonds called for optional redemption on the Redemption Date have not been deposited in the Series 2013B Redemption Account, or (ii) any other event specified in the notice of redemption as a condition to the redemption has not occurred, then (y) the Series 2013B Bonds for which conditional notice of redemption was given shall not be redeemed on the anticipated Redemption Date and shall remain Outstanding for all purposes of this Resolution, and (z) the redemption not occurring shall not constitute a default under this Resolution or the Authorizing Resolution.

The City may rescind any optional redemption and notice of it for any reason on any date prior to any Redemption Date by causing written notice of the rescission to be given to the owners of all Series 2013B Bonds so called for redemption. Notice of any such rescission of redemption shall be given in the same manner notice of redemption was originally given. The actual receipt by the owner of any Series 2013B Bond of notice of such rescission shall not be a condition precedent to rescission, and failure to receive such notice or any defect in such notice so mailed shall not affect the validity of the rescission.

Section 9. Series 2013B Bond Account. There is established with the City Treasurer a special subaccount in the General Obligation Bonds (Earthquake Safety and Emergency

Response General Obligation Bonds, 2010) Bond Account (the "Bond Account") created pursuant to the Authorizing Resolution to be designated the "General Obligation Bonds, Series 2013B Bond Subaccount" (the "Series 2013B Bond Account"), to be held separate and apart from all other accounts of the City. All interest earned on amounts on deposit in the Series 2013B Bond Account shall be retained in the Series 2013B Bond Account.

On or prior to the date on which any payment of principal of or interest on the Series 2013B Bonds is due, including any Series 2013B Bonds subject to mandatory redemption on said date, the City Treasurer shall allocate to and deposit in the Series 2013B Bond Account, from amounts held in the Bond Account, an amount which, when added to any available moneys contained in the Series 2013B Bond Account, is sufficient to pay principal of and interest on the Series 2013B Bonds on such date

On or prior to the date on which any Series 2013B Bonds are to be redeemed at the option of the City pursuant to this Resolution, the City Treasurer may allocate to and deposit in the Series 2013B Redemption Account, from amounts held in the Bond Account pursuant to Section 8 of the Authorizing Resolution, an amount which, when added to any available moneys contained in the Series 2013B Redemption Account, is sufficient to pay principal, interest and premium, if any, with respect to such Series 2013B Bonds on such date. The City Treasurer may make such other provision for the payment of principal of and interest and any redemption premium on the Series 2013B Bonds as is necessary or convenient to permit the optional redemption of the Series 2013B Bonds.

Amounts in the Series 2013B Bond Account may be invested in any investment of the City in which moneys in the General Fund of the City are invested. The City Treasurer may (i) commingle any of the moneys held in the Series 2013B Bond Account with other City moneys or (ii) deposit amounts credited to the Series 2013B Bond Account into a separate fund or funds for investment purposes only; provided, that all of the moneys held in the Series 2013B

Bond Account shall be accounted for separately notwithstanding any such commingling or separate deposit by the City Treasurer.

Section 10. Series 2013B Project Account. There is established with the City Treasurer a special subaccount in the General Obligation Bonds (Earthquake Safety and Emergency Response General Obligation Bonds, 2010) Project Account (the "Project Account") created pursuant to the Authorizing Resolution to be designated the "General Obligation Bonds, Series 2013B Project Subaccount" (the "Series 2013B Project Account"), to be held separate and apart from all other accounts of the City. All interest earned on amounts on deposit in the Series 2013B Project Account shall be retained in the Series 2013B Project Account. Amounts in the Series 2013B Project Account shall be expended in accordance with the provisions of the Authorizing Resolution for the acquisition, construction or reconstruction of the Project (as defined in the Authorizing Resolution).

Amounts in the Series 2013B Project Account may be invested in any investment of the City in which moneys in the General Fund of the City are invested. The City Treasurer may (i) commingle any of the moneys held in the Series 2013B Project Account with other City moneys or (ii) deposit amounts credited to the Series 2013B Project Account into a separate fund or funds for investment purposes only; provided, that all of the moneys held in the Series 2013B Project Account (including interest earnings) shall be accounted for separately notwithstanding any such comingling or separate deposit by the City Treasurer.

The City Treasurer is authorized to pay or cause to be paid from the proceeds of the Series 2013B Bonds, on behalf of the City, the costs of issuance associated with the Series 2013B Bonds. Costs of issuance of the Series 2013B Bonds shall include, without limitation, bond and financial printing expenses, mailing and publication expenses, rating agency fees, the fees and expenses of paying agents, registrars, financial consultants, disclosure counsel

and co-bond counsel, and the reimbursement of departmental expenses in connection with the issuance of the Series 2013B Bonds.

Section 11. Appointment of Depositories and Other Agents. The City Treasurer is authorized and directed to appoint one or more depositories as he or she may deem desirable and the procedures set forth in Section 6, Section 7 and Section 8 relating to registration of ownership of the Series 2013B Bonds and payments and redemption notices to owners of the Series 2013B Bonds may be modified to comply with the policies and procedures of such depository. The City will not have any responsibility or obligation to any purchaser of a beneficial ownership interest in any Series 2013B Bonds or to any participants in such a depository with respect to (i) the accuracy of any records maintained by such securities depository or any participant therein; (ii) any notice that is permitted or required to be given to the owners of Series 2013B Bonds under this Resolution; (iii) the selection by such securities depository or any participant therein of any person to receive payment in the event of a partial redemption of Series 2013B Bonds; (iv) the payment by such securities depository or any participant therein of any amount with respect to the principal or redemption premium, if any, or interest due with respect to Series 2013B Bonds; (v) any consent given or other action taken by such securities depository as the owner of Series 2013B Bonds; or (vi) any other matter.

The Depository Trust Company ("DTC") is appointed as depository for the Series 2013B Bonds. The Series 2013B Bonds shall be initially issued in book-entry form. Upon initial issuance, the ownership of each Series 2013B Bond shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. So long as each Series 2013B Bond is registered in book-entry form, each Series 2013B Bond shall be registered in the name of Cede & Co. or in the name of such successor nominee as may be designated from time to time by DTC or any successor as depository.

The City Treasurer is also authorized and directed to appoint one or more agents as he or she may deem necessary or desirable. To the extent permitted by applicable law and under the supervision of the City Treasurer, such agents may serve as paying agent, fiscal agent, rebate calculation agent, escrow agent or registrar for the Series 2013B Bonds or may assist the City Treasurer in performing any or all of such functions and such other duties as the City Treasurer shall determine. Such agents shall serve under such terms and conditions as the City Treasurer shall determine. The City Treasurer may remove or replace agents appointed pursuant to this paragraph at any time.

Section 12. Defeasance Provisions. Payment of all or any portion of the Series 2013B Bonds may be provided for prior to such Series 2013B Bonds' respective stated maturities by irrevocably depositing with the City Treasurer (or any commercial bank or trust company designated by the City Treasurer to act as escrow agent):

(a) An amount of cash equal to the principal amount of all of the Series 2013B Bonds or portion thereof to be defeased, and all unpaid interest thereon to maturity, except that in the case of any portion of the Series 2013B Bonds that is to be redeemed prior to such Series 2013B Bonds' respective stated maturities and in respect of which notice of such redemption shall have been given as provided in Section 8 or an irrevocable election to give such notice shall have been made by the City, the amount to be deposited shall be the principal amount thereof, all unpaid interest thereon to the Redemption Date, and premium, if any, due on such Redemption Date; or

(b) Defeasance Securities (as defined below) not subject to call, except as provided below in the definition of that term, maturing and paying interest at such times and in such amounts, together with interest earnings and cash, if required, as will, without reinvestment, as certified by an independent certified public accountant, be fully sufficient to pay the principal and all unpaid interest to maturity, or to the Redemption Date, as the case may be,

and premium, if any, due on the portion of the Series 2013B Bonds to be redeemed, as such principal and interest come due; provided, that, in the case of Series 2013B Bonds that are to be redeemed prior to maturity, notice of such redemption shall be given as provided in Section 8 or an irrevocable election to give such notice shall have been made by the City; then, all obligations of the City with respect to said outstanding Series 2013B Bonds shall cease and terminate, except only the obligation of the City to pay or cause to be paid from the funds deposited pursuant to paragraphs (a) or (b) of this Section 12 to the owners of such Series 2013B Bonds all sums due with respect thereto and the obligations of the City pursuant to Section 18; and provided further, that the City shall have received an opinion of nationally recognized bond counsel that provision for the payment of such Series 2013B Bonds has been made in accordance with this Section 12.

For purposes of this Section 12, "Defeasance Securities" shall mean any of the following that at the time are legal investments under the laws of the State of California for the moneys proposed to be invested:

(1) United States Obligations (as defined below); and

(2) Pre-refunded fixed interest rate municipal obligations meeting the following conditions:

(a) the municipal obligations are not subject to redemption prior to maturity, or the trustee or paying agent has been given irrevocable instructions concerning their calling and redemption and the issuer has covenanted not to redeem such obligations other than as set forth in such instructions;

(b) the municipal obligations are secured by cash or United States Obligations;

(c) the principal of and interest on the United States Obligations (plus any cash in the escrow fund or the Series 2013B Redemption Account) are sufficient to meet the liabilities of the municipal obligations;

(d) the United States Obligations serving as security for the municipal obligations are held by an escrow agent or trustee;

(e) the United States Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and

(f) the municipal obligations are rated, without regard to any numerical modifier, plus or minus sign or other modifier, at the time of original deposit to the escrow fund, by any two Rating Agencies (as defined below) not lower than the rating then maintained by such Rating Agencies on such United States Obligations.

For purposes of this Section 12, "United States Obligations" means (i) direct and general obligations of the United States of America, or obligations that are unconditionally guaranteed as to principal and interest by the United States of America, including without limitation, the interest component of Resolution Funding Corporation (REFCORP) bonds that have been stripped by request to the Federal Reserve Bank of New York in book-entry form or (ii) any security issued by an agency or instrumentality of the United States of America that is selected by the Director of Public Finance that results in the escrow fund being rated by any two Rating Agencies at the time of the initial deposit to the escrow fund and upon any substitution or subsequent deposit to the escrow fund, not lower than the rating then maintained by such Rating Agencies on United States Obligations described in clause (i) above.

For purposes of this Section 12, "Rating Agencies" means Moody's Investors Service, Inc., Fitch Ratings, and Standard and Poor's Rating Services, a division of The McGraw-Hill Companies, Inc., or any other nationally recognized bond rating agency that is the successor to any of the foregoing rating agencies or that is otherwise established after the date hereof.

Section 13. Official Notice of Sale; Receipt of Bids; Bond Award.

(a) Official Notice of Sale. The form of proposed Official Notice of Sale inviting bids for the Series 2013B Bonds (the "Official Notice of Sale") submitted to the Board is approved and adopted as the Official Notice of Sale inviting bids for the Series 2013B Bonds, with such changes, additions and modifications as may be made in accordance with Section 20. The Director of Public Finance is authorized and directed to cause to be mailed or otherwise circulated to prospective bidders for the Series 2013B Bonds copies of the Official Notice of Sale, subject to such corrections, revisions or additions as may be acceptable to the Director of Public Finance.

(b) Receipt of Bids. Bids shall be received on the date designated by the Director of Public Finance pursuant to Section 4.

(c) Bond Award. As provided in the Official Notice of Sale, the City may reject any and all bids received for any reason. The Controller is authorized to award the Series 2013B Bonds to the responsible bidder whose bid (a) is timely received and conforms to the Official Notice of Sale, except to the extent informalities and irregularities are waived by the City as permitted by the Official Notice of Sale, and (b) represents the lowest true interest cost to the City in accordance with the procedures described in the Official Notice of Sale. The award, if made, shall be set forth in a certificate signed by the Controller setting forth the terms of the Series 2013B Bonds and the original purchasers (the "Bond Award"). The Controller shall provide a copy of the Bond Award as soon as practicable to the Clerk of the Board of Supervisors and the Director of Public Finance; provided, that failure to provide such copy shall not affect the validity of the Bond Award.

Section 14. Publication of Notice of Intention to Sell Bonds. The form of proposed Notice of Intention to Sell the Series 2013B Bonds (the "Notice of Intention to Sell Bonds") submitted to the Board is approved and adopted as the Notice of Intention to Sell the Series

2013B Bonds, and the Director of Public Finance is authorized and directed to cause the Notice of Intention to Sell Bonds, subject to such corrections, revisions or additions as may be made in accordance with Section 20, to be published once in The Bond Buyer or another financial publication generally circulated throughout the State of California.

Section 15. Sale of Series 2013B Bonds; Solicitation of Competitive Bids. The Board authorizes the sale of the Series 2013B Bonds by solicitation of competitive bids for the purchase of the Series 2013B Bonds on the date and at the place determined in accordance with the Official Notice of Sale and Section 4.

Section 16. Disposition of Proceeds of Sale. The proceeds of sale of the Series 2013B Bonds shall be applied by the City Treasurer as follows: (a) accrued interest, if any, shall be deposited into the Series 2013B Bond Account; (b) premium, if any, shall be deposited into the Series 2013B Bond Account; and (iii) remaining proceeds of sale shall be deposited into the Series 2013B Project Account.

Section 17. Official Statement. The form of proposed Preliminary Official Statement describing the Series 2013B Bonds (the "Preliminary Official Statement") submitted to the Board is approved and adopted as the Preliminary Official Statement describing the Series 2013B Bonds, with such additions, corrections and revisions as may be determined to be necessary or desirable made in accordance with Section 20. The Controller is authorized to cause the distribution of a Preliminary Official Statement deemed final for purposes of Securities and Exchange Commission Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended (the "Rule"), and to sign a certificate to that effect. The Director of Public Finance is authorized and directed to cause to be printed and mailed or electronically distributed to prospective bidders for the Series 2013B Bonds the Preliminary Official Statement in substantially the form of the Preliminary Official Statement approved and adopted by this Resolution, as completed, supplemented, corrected or revised. The

Controller is authorized and directed to approve, execute, and deliver the final Official Statement with respect to the Series 2013B Bonds, which final Official Statement shall be in the form of the Preliminary Official Statement, with such additions, corrections and revisions as may be determined to be necessary or desirable made in accordance with Section 20 and as are permitted under the Rule. The Director of Public Finance is authorized and directed to cause to be printed and mailed or electronically distributed the final Official Statement to all actual initial purchasers of the Series 2013B Bonds.

Section 18. Tax Covenants.

(a) General. The City covenants with the holders of the Series 2013B Bonds that, notwithstanding any other provisions of this Resolution, it shall not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of interest on the Series 2013B Bonds under Section 103 of the Code, and the regulations issued thereunder, as the same may be amended from time to time, and any successor provisions of law. Reference to a particular section of the Code shall be deemed to be a reference to any successor to any such section. The City shall not, directly or indirectly, use or permit the use of proceeds of the Series 2013B Bonds or any of the property financed or refinanced with proceeds of the Series 2013B Bonds, or any portion thereof, by any person other than a governmental unit (as such term is used in Section 141 of the Code), in such manner or to such extent as would result in the loss of exclusion of interest on the Series 2013B Bonds from gross income for federal income tax purposes.

(b) Use of Proceeds. The City shall not take any action, or fail to take any action, if any such action or failure to take action would cause the Series 2013B Bonds to be "private activity bonds" within the meaning of Section 141 of the Code, and in furtherance thereof, shall not make any use of the proceeds of the Series 2013B Bonds or any of the property financed or refinanced with proceeds of the Series 2013B Bonds, or any portion thereof, or

any other funds of the City, that would cause the Series 2013B Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. To that end, so long as any Series 2013B Bonds are outstanding, the City, with respect to such proceeds and property and such other funds, will comply with applicable requirements of the Code and all regulations of the United States Department of the Treasury issued thereunder, to the extent such requirements are, at the time, applicable and in effect. The City shall establish reasonable procedures necessary to ensure continued compliance with Section 141 of the Code and the continued qualification of the Series 2013B Bonds as "governmental bonds."

(c) Arbitrage. The City shall not, directly or indirectly, use or permit the use of any proceeds of the Series 2013B Bonds, or of any property financed or refinanced by the Series 2013B Bonds, or other funds of the City, or take or omit to take any action, that would cause the Series 2013B Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code. To that end, the City shall comply with all requirements of Section 148 of the Code and all regulations of the United States Department of the Treasury issued thereunder to the extent such requirements are, at the time, in effect and applicable to the Series 2013B Bonds.

(d) Federal Guarantee. The City shall not make any use of the proceeds of the Series 2013B Bonds or any other funds of the City, or take or omit to take any other action, that would cause the Series 2013B Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

(e) Information Reporting. The City shall take or cause to be taken all necessary action to comply with the information reporting requirement of Section 149(e) of the Code with respect to the Series 2013B Bonds.

(f) Hedge Bonds. The City shall not make any use of the proceeds of the Series 2013B Bonds or any other amounts or property, regardless of the source, or take any action or refrain from taking any action that would cause the Series 2013B Bonds to be considered

"hedge bonds" within the meaning of Section 149(g) of the Code unless the City takes all necessary action to assure compliance with the requirements of Section 149(g) of the Code.

(g) Compliance with Tax Certificate. In furtherance of the foregoing tax covenants of this Section 18, the City covenants that it will comply with the provisions of the Tax Certificate to be executed by the City with respect to the Series 2013B Bonds, dated the date of issuance of the Series 2013B Bonds, as such Tax Certificate may be amended from time to time. This covenant shall survive payment in full or defeasance of the Series 2013B Bonds.

Section 19. Continuing Disclosure Certificate. The form of Continuing Disclosure Certificate (the "Continuing Disclosure Certificate"), to be signed by the City to permit the original purchasers of the Series 2013B Bonds to comply with the Rule, submitted to the Board is approved and adopted as the Continuing Disclosure Certificate, with such additions, corrections and revisions as may be determined to be necessary or desirable made in accordance with Section 20. The Controller is authorized and directed to execute the Continuing Disclosure Certificate on behalf of the City and deliver the Continuing Disclosure Certificate to the original purchasers of the Series 2013B Bonds.

Section 20. Modification to Documents. Any City official authorized by this Resolution to execute any document is further authorized, in consultation with the City Attorney and co-bond counsel, to approve and make such changes, additions, amendments or modifications to the document or documents such official is authorized to execute as may be necessary or advisable (provided, that such changes, additions, amendments or modifications shall not authorize an aggregate principal amount of Series 2013B Bonds in excess of $31,905,000 or conflict with the provisions of Section 4). The approval of any change, addition, amendment or modification to any of the aforementioned documents shall be evidenced conclusively by the execution and delivery of the document in question.

Section 21. Ratification. All actions previously taken by officials, employees and agents of the City with respect to the sale and issuance of the Series 2013B Bonds are approved, confirmed and ratified.

Section 22. Relationship to Authorizing Resolution. In the event of any conflict between this Resolution and the Authorizing Resolution, the terms of this Resolution shall control. Without limiting the foregoing and notwithstanding the provisions of the Authorizing Resolution, the City is not obligated to transfer money from the General Fund of the City to the Bond Account to pay the principal of or interest on the Series 2013B Bonds.

Section 23. Reimbursement. The City declares its official intent to reimburse prior expenditures of the City incurred prior to the issuance and sale of the Series 2013B Bonds in connection with the Project or portions thereof to be financed by the Series 2013B Bonds. The Board declares the City's intent to reimburse the City with the proceeds of the Series 2013B Bonds for the expenditures with respect to the Project (the "Expenditures" and each an "Expenditure") made on and after that date that is no more than 60 days prior to adoption of this Resolution. The City reasonably expects on the date of adoption of this Resolution that it will reimburse the Expenditures with the proceeds of the Series 2013B Bonds.

Each Expenditure was and will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Series 2013B Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the City so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the City. The maximum aggregate principal amount of the Series 2013B Bonds expected to be issued for the Project is $31,905,000. The City shall make a reimbursement allocation, which is a written allocation by the City that evidences the City's use of proceeds of the Series

2013B Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The City recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 24. Accountability Reports. The Series 2013B Bonds are subject to accountability requirements under the City's Administrative Code and the Bond Election Ordinance. Accountability report(s) with respect to the Series 2013B Bonds shall be submitted at the time(s) and in the manner required by the Administrative Code and the Bond Election Ordinance.

Section 25. Citizens' Oversight Committee. The Series 2013B Bonds are subject to, and incorporate by reference, the applicable provisions of the San Francisco Administrative Code Sections 5.30-5.36 (the "Citizens' General Obligation Bond Oversight Committee"), and, to the extent permitted by law, one tenth of one percent (0.1%) of the gross proceeds of the Series 2013B Bonds shall be deposited into a fund established by the Controller's Office and appropriated by the Board at the direction of the Citizens' General Obligation Bond Oversight Committee to cover the costs of such committee.

Section 26. CEQA Determination. The Board hereby reaffirms and incorporates by reference the CEQA findings and determinations set forth in Ordinance 40-10 as if set forth in full herein. The use of bond proceeds to finance any identified project or portion of any identified project will be subject, as necessary, to approval of the Board upon completion of planning and any further required environmental review under CEQA for the individual facilities and projects.

Section 27. General Authority. The Clerk of the Board of Supervisors, the Mayor, the City Treasurer, the Director of Public Finance, the City Attorney and the Controller are each authorized and directed in the name and on behalf of the City to take any and all steps and to issue, deliver or enter into any and all certificates, requisitions, agreements, notices, consents, and other documents as may be necessary to give effect to the provisions of this Resolution, including but not limited to letters of representations to any depository or depositories, which they or any of them might deem necessary or appropriate in order to consummate the lawful issuance, sale and delivery of the Series 2013B Bonds.

APPROVED AS TO FORM:

DENNIS J. HERRERA City Attorney

By: _____
Mark D. Blake
Deputy City Attorney

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Exhibit A

Unless this bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to City or its agent for registration of transfer, exchange, or payment, and any bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE OF THIS BOND FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Number R-__ UNITED STATES OF AMERICA Amount

STATE OF CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO

GENERAL OBLIGATION BONDS

(EARTHQUAKE SAFETY AND EMERGENCY RESPONSE BONDS, 2010),

SERIES 2013B

Interest Rate	Maturity Date	Dated	CUSIP Number
____%	June 15, 20__	_____, 2013	_____

REGISTERED OWNER: Cede & Co.

PRINCIPAL AMOUNT: _____ Dollars

The City and County of San Francisco, State of California (the "**City**"), acknowledges

itself indebted to and promises to pay to the Registered Owner specified above or registered assigns, on the Maturity Date specified above, the Principal Amount of this bond specified above in lawful money of the United States of America, and to pay interest on the Principal Amount in like lawful money from the interest payment date next preceding the date of authentication of this bond (unless this bond is authenticated as of the day during the period from the last day of the month next preceding any interest payment date (the "**Record Date**") to such interest payment date, inclusive, in which event it shall bear from such interest payment date, or unless this bond is authenticated on or before November 30, 2013, in which event it shall bear interest from its dated date) until payment of such Principal Amount, at the Interest Rate per year specified above calculated on the basis of a 360-day year comprised of twelve 30-day months, payable on December 15, 2013 and semiannually thereafter on June 15 and December 15 in each year; *provided*, that if any interest payment date occurs on a day that banks in California or New York are closed for business or the New York Stock Exchange is closed for business, then such payment shall be made on the next succeeding day that banks in both California and New York are open for business and the New York Stock Exchange is open for business (a "**Business Day**"). The principal of this bond is payable to the Registered Owner of this bond upon the surrender of this bond at the office of the Treasurer of the City (the "**City Treasurer**"). The interest on this bond is payable to the person whose name appears on the bond registration books of the City Treasurer as the Registered Owner of this bond as of the close of business on the Record Date immediately preceding an interest payment date, whether or not such day is a Business Day, such interest to be paid by check mailed on the interest payment date to such Registered Owner at the owner's address as it appears on such registration books; *provided*, that the Registered Owner of bonds in an aggregate principal amount of at least $1,000,000 may submit a written request to the City Treasurer on or before the Record Date preceding any interest payment date for payment of

interest by wire transfer to a commercial bank located in the United States of America.

This bond is one of a duly authorized issue of bonds (the "**Bonds**") of like tenor (except for such variations, if any, as may be required to designate varying numbers, denominations, interest rates and maturities), in the aggregate principal amount of $31,905,000, which is part of a bond authorization in the aggregate original principal amount of $412,300,000 authorized by the affirmative votes of more than two-thirds of the voters voting at a special election duly and legally called, held and conducted in the City on June 8, 2010 and is issued and sold by the City pursuant to and in strict conformity with the provisions of the Constitution and laws of the State of California, the Charter of the City and resolutions adopted by the Board of Supervisors of the City (the "**Board of Supervisors**") on November 2, 2010, and _____ __, 2013 (collectively, together with the related Certificate of Award, the "**Resolutions**").

The Bonds are issuable as fully registered bonds without coupons in the denominations of $5,000 or any integral multiple of such amount, *provided* that no bond shall have principal maturing on more than one principal maturity date. Subject to the limitations and conditions and upon payment of the charges, if any, provided in the Resolutions, the Bonds may be exchanged for a like aggregate principal amount of Bonds of other authorized denominations of the same interest rate and maturity.

This bond is transferable by its registered owner, in person or by its attorney duly authorized in writing, at the office of the City Treasurer, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolutions, and upon surrender and cancellation of this bond. Upon such transfer, a new bond or bonds of authorized denomination or denominations for the same interest rate and same aggregate principal amount will be issued to the transferee in exchange for this bond.

The City Treasurer will not be required to exchange or register the transfer of this bond during the period (a) from the Record Date for an interest payment date to the opening of

business on such interest payment date or (b) after notice of redemption of this bond or any portion of this bond has been mailed.

Bonds maturing on and before June 15, 20__, are not redeemable prior to their maturity.

Bonds maturing on and after June 15, 20__, are subject to optional redemption from any available funds, in whole or in part, on any date on or after June 15, 20__, at a price equal to their principal amount plus in each case accrued interest to the date of redemption, without redemption premium. If less than all of the outstanding Bonds are to be redeemed, they may be redeemed in any order of maturity as determined by the City. If less than all of the outstanding Bonds of a maturity are to be redeemed, the Bonds or portions of Bonds of such maturity to be redeemed shall be selected by the City Treasurer, in authorized denominations of $5,000 or integral multiples of that amount, from among Bonds of that maturity not previously called for redemption, by lot, in any manner which the City Treasurer deems fair.

Bonds maturing on June 15, 20__, are subject to mandatory sinking fund redemption on June 15 of each of the years 20__ through 20__, inclusive, and at maturity in the respective amounts provided in the Resolutions.

Bonds maturing on June 15, 20__, are subject to mandatory sinking fund redemption on June 15 of each of the years 20__ through 20__, inclusive, and at maturity in the respective amounts provided in the Resolutions.

Notice of the redemption of Bonds which by their terms shall have become subject to redemption shall be given or caused to be given to the registered owner of each bond or portion of a bond called for redemption not less than 20 or more than 60 days before any date established for redemption of Bonds, by the City Treasurer on behalf of the City, first class mail, postage prepaid, sent to the registered owner's last address, if any, appearing on the registration books kept by the City Treasurer. Official notices of redemption will contain the

information specified in the Resolutions.

On or prior to any redemption date, the City is required to deposit an amount of money sufficient to pay the redemption price of all of the Bonds or portions of Bonds which are to be redeemed on that date or, in the case of optional redemptions only, the optional redemption and notice of it will be rescinded and the City's failure to deposit such amount will not be a default. In addition, the City may at its option rescind any optional redemption and notice of it for any reason on any date prior to the applicable redemption date. Notice of rescission of an optional redemption shall be given in the same manner as notice of redemption was originally given,

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless such redemption and notice of it shall have been rescinded or unless the City shall default in the payment of the redemption price), such Bonds or portions of Bonds shall cease to bear interest. Neither the failure to mail such redemption notice, nor any defect in any notice so mailed, to any particular registered owner, shall affect the sufficiency of such notice with respect to other Bonds.

Notice of redemption, or notice of rescission of an optional redemption, having been properly given, failure of a registered owner to receive such notice shall not be deemed to invalidate, limit or delay the effect of the notice or redemption action described in the notice.

The City and the City Treasurer may treat the registered owner of this bond as the absolute owner of this bond for all purposes, and the City and the City Treasurer shall not be affected by any notice to the contrary.

The City Treasurer may appoint agents to serve as bond registrar or paying agent, as provided in the Resolutions.

The Board of Supervisors certifies, recites and declares that the total amount of

indebtedness of the City, including the amount of this bond, is within the limit provided by law, that all acts, conditions and things required by law to be done or performed precedent to and in the issuance of this bond have been done and performed in strict conformity with the laws authorizing the issuance of this bond, that this bond is in the form prescribed by order of the Board of Supervisors duly made and entered on its minutes, and the money for the payment of principal of this bond, and the payment of interest thereon, shall be raised by taxation upon the taxable property of the City as provided in the Resolutions.

This bond shall not be entitled to any benefit under the Resolutions, or become valid or obligatory for any purpose, until the certificate of authentication and registration on this bond shall have been signed by the City Treasurer.

IN WITNESS WHEREOF the Board of Supervisors has caused this bond to be executed by the Mayor of the City and to be countersigned by the Clerk of the Board of Supervisors, all as of August __, 2013.

_____

Mayor of the City and
County of San Francisco

Countersigned:

_____

Clerk of the Board of Supervisors

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This is one of the bonds described in the within-mentioned Resolutions, which has been authenticated on the date set forth below.

Date of Authentication: _____

_____

Treasurer of the City and
County of San Francisco

ASSIGNMENT

The following abbreviations, when used in the inscription on this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

Unif Gift Min Act - _____ Custodian _____

(Cust) (Minor)

under Uniform Gifts to Minors Act _____

(State)

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as tenants in common

_____

(Name and Address of Assignee)

the within Bond and does irrevocably constitute and appoint _____

attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

/s/_____

Dated:

Signature guaranteed:

Notice: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Notice: The signature(s) should be guaranteed by an eligible guarantor institution (banks, stockbrokers, savings and loan associations and credit unions with membership in approved Signature Guarantee Medallion Program).

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130382 **Date Passed:** May 21, 2013

Resolution authorizing and directing the sale of not to exceed $31,905,000 aggregate principal amount of Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; Approving the Form of the Continuing Disclosure Certificate; Authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

May 15, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130382

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

Authorization of the Bonds shall be by Wet Signature not by facsimile ACC

Angela Calvillo
Clerk of the Board

Mayor

5/28/13
Date Approved

FILE NO. 130380 RESOLUTION NO. 156-13

[Issuance - Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A - Not to Exceed $195,000,000]

Resolution providing for the issuance of not to exceed $195,000,000 aggregate principal amount of Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

WHEREAS, By Resolution 256-12 adopted by the Board of Supervisors (the "Board of Supervisors") of the City and County of San Francisco (the "City") on July 10, 2012, and signed by the Mayor on July 12, 2012, the Board of Supervisors determined that the public interest and necessity demand improving the safety and quality of neighborhood parks and waterfront open spaces across the City as therein described (collectively, the "Project"); and

WHEREAS, By Ordinance No. 161-12, finally passed by the Board of Supervisors on July 17, 2012, and signed by the Mayor on July 24, 2012 (the "Bond Ordinance"), the Board of Supervisors duly called a special election to be held on November 6, 2012 (the "Bond Election"), for the purpose of submitting to the electors of the City a proposition to incur bonded indebtedness in the amount of $195,000,000 to finance the Project; and

WHEREAS, The Registrar of Voters of the City duly and regularly canvassed the returns of said election and, as the result of such canvass, certified to the Board of

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Supervisors that more than two-thirds of the votes cast on said proposition favored the incurring of such bonded indebtedness; and

WHEREAS, This Board of Supervisors has determined, and does hereby declare that it is necessary and desirable that all of said Bonds designated generally as City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2012) (the "Bonds") (each series to bear such additional or other designation as may be necessary or appropriate to distinguish such series from every other series and from other bonds issued by the City) in the aggregate principal amount of $195,000,000, be issued and sold in series from time to time, for the purposes authorized and on the conditions set forth in this Resolution of the Board of Supervisors; and

WHEREAS, The City expects to pay certain expenditures in connection with the projects to be financed by the Bonds prior to the issuance and sale of the Bonds, and the City intends to reimburse itself and to pay third parties for such prior expenditures from the proceeds of the Bonds; and

WHEREAS, Section 1.150-2 of the Treasury Regulations promulgated under the Internal Revenue Code of 1986 (the "Treasury Regulations") requires the City to declare its reasonable official intent to reimburse prior expenditures with the proceeds of a subsequent borrowing; and

WHEREAS, The Treasury Regulations require that any reimbursement allocation of proceeds of the Bonds to be made with respect to expenditures incurred prior to the issuance of the Bonds will occur not later than eighteen (18) months after the later of (i) the date on which the expenditure is paid or (ii) the date on which the facilities are placed in service, but in no event later than three (3) years after the expenditure is paid; and

WHEREAS, The Bonds will be payable from proceeds of the voter-approved special ad valorem tax levy described herein; and,

WHEREAS, The Bonds are being issued pursuant to a resolution duly adopted by the Board of Supervisors, Title 5, Division 2, Part I, Chapter 3, Article 4.5 of the California Government Code, the Charter of the City and a duly held election; and

WHEREAS, The adoption of this Resolution shall constitute authorization of the Bonds within the meaning of Section 864 of the California Code of Civil Procedure; and,

WHEREAS, Pursuant to Section 9.106 of the Charter of the City, there shall be delivered a certificate of a duly authorized officer of the City, concurrently with the issuance of each series of the Bonds, stating that the outstanding general obligation bonded indebtedness of the City, including all series of the Bonds issued and to be issued and outstanding on the date of delivery of such series, will not exceed three percent of the assessed value of all taxable real and personal property located within the City; and

WHEREAS, The Citizens' General Obligation Bond Oversight Committee shall conduct an annual review of bond spending and shall provide an annual report on the management of the program to the Mayor, Board of Supervisors, the Recreation and Park Commission and the Port Commission and to the extent permitted by law, one-tenth of one percent (0.1%) of the gross proceeds of the Bonds shall be deposited in a fund established by the Controller's Office and appropriated by the Board of Supervisors at the direction of the Citizen's General Obligation Bond Oversight Committee to cover the costs of this committee and this review process;

NOW, THEREFORE, BE IT RESOLVED by the Board of the City as follows:

Section 1. Recitals. All of the recitals herein are true and correct.

Section 2. Conditions Precedent. All conditions, things and acts required by law to exist, to happen and to be performed precedent to and in the issuance of the Bonds exist, have happened and have been performed in due time, form and manner in accordance with

applicable law, and the City is now authorized pursuant to its Charter and applicable law to incur indebtedness in the manner and form provided iii this Resolution (the "Resolution").

Section 3. Issuance of Bonds. The Board of Supervisors hereby authorizes the issuance and sale of not to exceed $195,000,000 aggregate principal amount of the Bonds for the construction, reconstruction, purchase and/or completion of the real property improvements set forth in the following proposition:

"SAN FRANCISCO CLEAN AND SAFE NEIGHBORHOOD PARKS BONDS To improve the safety and quality of neighborhood parks across the city and waterfront open spaces, enhance water quality and clean up environmental contamination along the Bay, replace unsafe playgrounds, fix restrooms, improve access for the disabled, and ensure the seismic safety of park and recreation facilities, shall the City and County of San Francisco issue $195 million dollars in General Obligation Bonds, subject to independent oversight and regular audits?"

The Bonds may be sold in one or more series, as the Board of Supervisors shall determine, and shall be sold in accordance with law, as such law may from time to time be amended, supplemented or revised, and on the terms and conditions approved by the Board of Supervisors in this Resolution, as supplemented by such other resolution or resolutions relating to such series of Bonds and as provided in resolution of the Board of Supervisors authorizing and directing the sale of each series of the Bonds (each, a "Sale Resolution"). The offering and sale of the Bonds may be aggregated with the offering and sale of other general obligation bonds being issued by the City as authorized from time to time by the Board of Supervisors.

Section 4. Execution and Authentication. The resolution of the Board of Supervisors authorizing arid directing the sale of any series of the Bonds shall set forth the form of such bond, with such necessary or appropriate variations, omissions and insertions as may be

permitted by such resolution. "CUSIP" identification numbers may be imprinted on the Bonds, but such numbers shall not constitute a part of the contract evidenced by the Bonds and any error or omission with respect thereto shall not constitute cause for refusal of any purchaser to accept delivery of and pay for the Bonds. In addition, failure on the part of the City to use such CUSIP numbers in any notice to Owners of the Bonds shall not constitute an event of default or any violation of the City's contract with such Owners and shall not impair the effectiveness of any such notice.

The Bonds shall be signed by the Mayor of the City and countersigned by the Clerk of the Board of Supervisors. Such signatures may be facsimile or manual. The Clerk of the Board of Supervisors may cause the official seal of the City to be impressed or printed on each of the Bonds. The Treasurer of the City or designee thereof (the "City Treasurer") shall authenticate the Bonds by manual signature, and when so executed and authenticated, the Clerk of the Board of Supervisors shall deliver the Bonds to or for the account of the purchaser in exchange for the purchase price thereof.

In case any of such officers whose signatures or countersignatures appear on the Bonds shall cease to be such officer before the delivery of such Bonds to the purchaser, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes as if they had remained in office until the delivery of the Bonds.

Section 5. Transferor Exchange and Registration of Bonds. Any Bond may be transferred or exchanged in accordance with its terms and the resolution of the Board of Supervisors authorizing and directing its sale. Each Bond shall be registered in accordance with the resolution of the Board of Supervisors authorizing and directing its sale.

Section 6. General Redemption Provisions. The terms of redemption (whether optional redemption or mandatory redemption), if any, of any series of Bonds and the manner

prescribed for notice of any redemption of such series of Bonds shall be set forth in the Sale Resolution authorizing the sale of the Bonds to be redeemed.

The Sale Resolution authorizing the sale of each series of Bonds shall provide that the City Treasurer shall establish a Redemption Account for such series of Bonds and shall further provide for the deposit and application of moneys in such Redemption Account.

Section 7. Tax Levy. For the purpose of paying the principal of and interest on the Bonds, the Board of Supervisors agrees and covenants with the holders of the Bonds that at the time of fixing the general ad valorem tax levy it shall fix, and in the manner provided for such general tax levy, levy and collect annually until the Bonds are paid or until there shall be a sum set apart for that purpose in the treasury of the City sufficient to meet all sums coming due for payment of principal of and interest on the Bonds, ad valorem taxes sufficient to pay the annual interest on the Bonds as the same becomes due and also such part of the principal thereof as shall become due.

Said ad valorem taxes shall be levied without limitation as to rate or amount upon all property within the City subject to taxation by the City (except certain property which is taxable at limited rates) in an amount sufficient for the payment of the principal of and interest on the Bonds, shall be in addition to all other taxes levied for City purposes, shall be collected at the same time and in the same manner as other taxes of the City are collected, and shall be used only for the payment of the Bonds and the interest thereon.

All taxes collected pursuant to this Section 7 shall be deposited in a special account to be designated as the "General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2012) Bond Account" (the "Bond Account") and each and every series of Bonds issued under this Resolution shall be equally and ratably secured by the taxes collected pursuant to this Section. Such account shall be administered by the City Treasurer and kept separate and apart from all other accounts. Pursuant to the resolution of the Board of Supervisors

authorizing and directing the sale of any series of the Bonds, the City Treasurer may establish such additional accounts and subaccounts within the Bond Account or with any agent, including but not limited to any paying agent or fiscal agent, as may be necessary or convenient in connection with the administration of any series of the Bonds. The resolution of the Board of Supervisors authorizing and directing the sale of any series of the Bonds shall establish subaccounts within the Bond Account for each series of the Bonds to provide for the payment of principal and interest on such series of Bonds.

The City Treasurer shall also deposit in the Bond Account from the proceeds of sale of the Bonds, any moneys received on account of original issue premium and interest accrued on the Bonds to the date of payment of the purchase price thereof, and such other moneys, if any, as may be specified in the Sale Resolution authorizing the sale of each series of Bonds. So long as any of the Bonds are outstanding, moneys in the Bond Account shall be used and applied by the City Treasurer solely for the purpose of paying the principal of and interest on the Bonds as such principal and interest shall become due and payable, or for purchase of Bonds if permitted by the Sale Resolution authorizing the sale of each series of Bonds; provided, however, that when all of the principal of and interest on the Bonds have been paid, any moneys then remaining in said account shall be transferred to the General Fund of the City or as otherwise permitted by law. The Board of Supervisors shall take such actions annually as are necessary or appropriate to cause the debt service on the Bonds due in any fiscal year to be included in the budget for such fiscal year and to make the necessary appropriations therefor.

Section 8. Administration and Disbursements From Bond Account.

(a) Interest. On or before June 15 and December 15 in each year (or on such other dates as provided in a Sale Resolution) that any of the Bonds is outstanding, the City Treasurer shall transfer to and set aside in the Bond Account and the appropriate

subaccounts therein relating to each series of the Bonds an amount which, when added to the amount contained in the Bond Account and subaccounts therein on that date, if any, will be equal to the aggregate amount of the interest becoming due and payable on each series of the Bonds outstanding on such interest payment date.

(b) Principal. On or before June 15 in each year (or on such other dates as provided in a Sale Resolution) that any of the Bonds is outstanding, the City Treasurer shall transfer to and set aside in the Bond Account and the appropriate subaccounts therein relating to each series of the Bonds an amount which will be equal to the principal on each series of the Bonds outstanding that will become due and payable on said June 15, including those Bonds subject to mandatory redemption on such date pursuant to the provisions of the Sale Resolution authorizing the sale of such Bonds.

All moneys in the Bond Account shall be used and withdrawn by the City Treasurer solely for the purpose of paying the principal of and interest on each series of the Bonds as the same shall become due and payable. On June 15 and December 15 in each year that any Bond is outstanding, the City Treasurer shall allocate, transfer and apply to the various subaccounts in the Bond Account created pursuant to the Sale Resolution authorizing the sale of a series of Bonds, on such date on which payment of principal or interest on any series of Bonds is due, from moneys on deposit in the Bond Account, an amount equal to the amount of principal of, premium, if any, or interest due on said date with respect to each series of the Bonds then outstanding. Unless other provision shall have been made pursuant to this Resolution for the payment of any Bond, all amounts held in the various subaccounts of the Bond Account created pursuant to the Sale Resolution authorizing the sale of a series of Bonds shall be used and applied by the City Treasurer to pay principal of, premium, if any, and interest due on the series of Bonds to which such subaccount relates, as and when due.

Section 9. Appointment of Depositories and Other Agents. The City Treasurer is hereby authorized and directed to appoint one or more depositories as he or she may deem desirable and may authorize such depository to perform, under the supervision of the City Treasurer, any of the City Treasurer's duties and responsibilities under this Resolution, to the extent permitted by applicable law.

The City Treasurer is hereby also authorized and directed to appoint one or more agents as he or she may deem necessary or desirable. To the extent permitted by applicable law and under the supervision of the City Treasurer, such agents may serve as paying agent, fiscal agent, escrow agent or registrar for the Bonds or may assist the City Treasurer in performing any or all of such functions and such other duties as the City Treasurer shall determine including such duties and responsibilities of the City Treasurer provided for in this Resolution. Such agents shall serve under such terms and conditions as the City Treasurer shall determine. The City Treasurer may remove or replace agents appointed pursuant to this paragraph at any time.

Section 10. Project Account. There is hereby established a project account to be designated as the "General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2012) Project Account" (the "Project Account"). The Project Account shall be maintained by the City Treasurer, as a separate account, segregated and distinct from all other accounts. The City Treasurer may establish such accounts and subaccounts as may be necessary or convenient in connection with the administration of the Project or the Bonds.

All of the proceeds of the sale of the Bonds, excluding any premium and accrued interest received thereon, shall be deposited by the City Treasurer to the credit of the Project Account and shall be applied exclusively to the objects and purposes specified in the proposition set forth in Section 3 hereof. When such objects and purposes have been accomplished, any moneys remaining in such account shall be transferred to the Bond

Account established pursuant to Section 7 hereof and applied to the payment of the principal of and interest on any series of Bonds. Amounts in the Project Account may be applied to the payment of costs of issuance of the Bonds, including, without limitation, bond and financial printing expenses, mailing and publication expenses, rating agency fees, and the fees and expenses of paying agents, registrars, financial consultants, disclosure counsel and bond counsel.

Section 11. Defeasance Provisions. The Sale Resolution of the Board authorizing and directing the sale of any series of Bonds may provide for the defeasance of such series of Bonds. Any Bonds which have been deemed paid in accordance with the defeasance provisions of the Sale Resolution authorizing and directing their sale shall no longer be deemed outstanding under this Resolution.

Section 12. Tax Covenants. Any series of the Bonds may be issued as bonds the interest on which is excluded from gross income for federal or state income tax purposes or as bonds the interest on which is included in gross income for federal or state income tax purposes or as taxable bonds. With respect to any series of the Bonds the interest on which is excluded from gross income for federal or state income tax purposes, the City may make such covenants and representations as are necessary or convenient to comply with applicable laws and regulations.

Section 13. Other Terms and Provisions Relating To the Bonds. The Sale Resolution providing for the sale of any series of Bonds may provide for (a) the purchase of bond insurance or other credit enhancement relating to such series of Bonds and to the establishment of such additional terms and procedures as may be necessary to provide for the application of such bond insurance or other credit enhancement for the benefit of the Bondholders; (b) the investment of moneys held in any fund or account relating to the Bonds in specific categories or types of investments, so long as such investments are legal

investments for the City and in compliance with any policy or guideline of the City applicable thereto; and (c) the adoption of any supplemental resolutions relating solely to such series of Bonds.

Section 14. Supplemental Resolutions. For any one or more of the following purposes and at any time or from time to time, a supplemental resolution of the City may be adopted, which, without the requirement of consent of the owners of the Bonds, shall be fully effective in accordance with its terms:

(a) To add to the covenants and agreements of the City in this Resolution or any Sale Resolution authorizing the sale of any series of Bonds, other covenants and agreements to be observed by the City which are not contrary to or inconsistent with this Resolution or any Sale Resolution authorizing the sale of any series of Bonds as theretofore in effect;

(b) To add to the limitations and restrictions in this Resolution or any Sale Resolution authorizing the sale of any series of Bonds, other limitations and restrictions to be observed by the City which are not contrary to or inconsistent with this Resolution or any Sale Resolution authorizing the sale of any series of Bonds as theretofore in effect;

(c) To confirm, as further assurance, any pledge under, and the subjection to any lien or pledge created or to be created by, this Resolution or any Sale Resolution authorizing the sale of any series of Bonds as then in effect, of any moneys, securities or funds, or to establish any additional funds or accounts to be held under this Resolution or any Sale Resolution authorizing the sale of any series of Bonds;

(d) To cure any ambiguity, supply any omission, or cure or correct any defect or inconsistent provision in this Resolution or any Sale Resolution authorizing the sale of any series of Bonds; or

(e) To make such additions, deletions or modifications as shall not be materially adverse to the owners of the Bonds.

Any modification or amendment of this Resolution or any Sale Resolution authorizing the sale of any series of Bonds and of the rights and obligations of the City and of the owners of the Bonds, in any particular, may be made by a supplemental resolution, with the written consent of the owners of at least a majority in aggregate principal amount of the Bonds outstanding at the time such consent is given. No such modification or amendment shall permit a change in the terms or maturity of the principal of any outstanding Bonds or of any interest payable thereon or a reduction in the principal amount thereof or in the rate of interest thereon, or shall reduce the percentage of Bonds the consent of the owners of which is required to effect any such modification or amendment, or shall reduce the amount of moneys for the repayment of the Bonds, without in each case the consent of all the owners of such Bonds.

Section 15. Ratification. All actions heretofore taken by officials, employees and agents of the City with respect to the sale and issuance of the Bonds are hereby approved, confirmed and ratified.

Section 16. General Authority. The Clerk of the Board of Supervisors, the Budget and Finance Committee of the Board of Supervisors, the Mayor, the City Treasurer, the City Administrator, the City Attorney, the Director of Public Finance of the City and the Controller are each hereby authorized and directed in the name and on behalf of the City to take any and all steps and to issue and deliver any and all certificates, requisitions, agreements, notices, consents, and other documents, including but not limited to, letters of representations

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to any depository or depositories, which they or any of them might deem necessary or appropriate in order to consummate the lawful issuance, sale and delivery of the Bonds and otherwise to give effect to this Resolution.

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By: _____
Mark D. Blake
Deputy City Attorney

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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130380 **Date Passed:** May 21, 2013

Resolution providing for the issuance of not to exceed $195,000,000 aggregate principal amount of Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

May 15, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130380

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

The authentication of the bonds shall be by wet signature not facsimile ACC

Angela Calvillo
Clerk of the Board

Mayor

5/28/13
Date Approved

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FILE NO. 130377 JUL 29 2013 RESOLUTION NO. 157-13

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[Sale - Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A - Not to Exceed $74,030,000]

Resolution authorizing and directing the sale of not to exceed $74,030,000 aggregate principal amount of City and County of San Francisco Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive Sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement Relating to the Sale of Said Bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

WHEREAS, By Ordinance No. 161-12, finally passed by the Board of Supervisors (the "Board of Supervisors") of the City and County of San Francisco (the "City") on July 17, 2012, and signed by the Mayor of the City (the "Mayor") on July 24, 2012 (the "Bond Election Ordinance"), the Board of Supervisors duly called a special election to be held on November 6, 2012 (the "Bond Election"), for the purpose of submitting to the electors of the City a proposition to incur bonded indebtedness in the amount of $195,000,000 to finance the construction, reconstruction, renovation, demolition, environmental remediation and/or

improvement of park, open space, and recreation facilities and all other structures, improvements, and related costs necessary or convenient for the foregoing purposes and paying all other costs necessary and convenient for effectuating those purposes (the "Project"), and such proposition was approved by not less than a two-thirds vote of the qualified electors of the City voting on such proposition; and

WHEREAS, By Resolution No. 157 -13 (the "Authorizing Resolution"), adopted by the Board of Supervisors (the "Board") of the City and County of San Francisco (the "City") on May 21, 2013, and signed by the Mayor on May 28, 2013, the City authorized the issuance of its General Obligation Bonds (Clean and Safe Neighborhood Park, 2012) (the "Bonds") in an aggregate principal amount not to exceed $195,000,000; and

WHEREAS, It is necessary and desirable to issue an initial series of the Bonds in an aggregate principal amount not to exceed $74,030,000 (the "Series 2013A Bonds"), to finance a portion of the costs of the Project (as defined in the Authorizing Resolution); and

WHEREAS, The Series 2013A Bonds are being issued pursuant to the Authorizing Resolution and Title 5, Division 2, Part 1, Chapter 3, Article 4.5 of the California Government Code, the Charter of the City (the "Charter"), the Bond Ordinance and the Bond Election; and

WHEREAS, The City has paid and expects to pay certain expenditures in connection with the Project to be financed by the Series 2013A Bonds prior to the issuance and sale of the Series 2013A Bonds, and the City intends to reimburse itself and to pay third parties for such prior expenditures from the proceeds of the Series 2013A Bonds; and

WHEREAS, Section 1.150-2 of the Treasury Regulations promulgated under the Internal Revenue Code of 1986 (the "Reimbursement Regulations") requires the City to declare its reasonable official intent to reimburse prior expenditures with the proceeds of a subsequent borrowing; and

WHEREAS, The Reimbursement Regulations require that any reimbursement allocation of proceeds of the Series 2013A Bonds to be made with respect to expenditures incurred prior to the issuance of the Series 2013A Bonds will occur not later than eighteen (18) months after the later of (i) the date on which the expenditure is paid or (ii) the date on which the facilities are placed in service, but in no event later than three (3) years after the expenditure is paid; and

WHEREAS, The Citizens' General Obligation Bond Oversight Committee shall conduct an annual review of bond spending and shall provide an annual report on the management of the program to the Mayor and the Board, and, to the extent permitted by law, one-tenth of one percent (0.1%) of the gross proceeds of the Series 2013A Bonds shall be deposited in a fund established by the Controller's Office and appropriated by the Board at the direction of the Citizens' General Obligation Bond Oversight Committee to cover the costs of such Committee and its review process; now, therefore, be it

RESOLVED by the Board of Supervisors of the City and County of San Francisco, as follows:

Section 1. Recitals. All of the recitals in this Resolution are true and correct.

Section 2. Conditions Precedent. All conditions, things and acts required by law to exist, to happen and to be performed precedent to and in connection with the issuance of the Series 2013A Bonds exist, have happened and have been performed in due time, form and manner in accordance with applicable law, and the City is now authorized pursuant to the Bond Election, the Charter and applicable law to incur indebtedness in the manner and form provided in this Resolution.

Section 3. Documents. The documents presented to the Board and on file with the Clerk of the Board of Supervisors or designee thereof (the "Clerk of the Board of Supervisors") are contained in File No. 130377.

Section 4. Issuance and Sale of Series 2013A Bonds; Determination of Certain Terms; Designation. The Board authorizes the issuance and sale of not to exceed $74,030,000 in aggregate principal amount of Bonds to be designated as "City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks, 2012), Series 2013A," for the purposes set forth in the Bond Election Ordinance and Proposition B approved by the voters at the Bond Election.

The Director of Public Finance of the City or designee thereof (the "Director of Public Finance") is authorized to determine, for the Series 2013A Bonds, the sale date, the interest rates, the definitive principal amount, the maturity dates and the redemption dates, if any, and the terms of any optional or mandatory redemption, subject to the other specific provisions of this Resolution, including the following terms and conditions: (i) the Series 2013A Bonds shall not have a true interest cost in excess of 12% (as such term is defined in the Official Notice of Sale (as defined in Section 17)); and (ii) the Series 2013A Bonds shall not have a final maturity date after June 15, 2033. The Director of Public Finance is further authorized to give the Series 2013A Bonds such additional or other series designation, or to modify such series designation, as may be necessary or appropriate to distinguish the Series 2013A Bonds from every other series of Bonds and from other bonds issued by the City.

Section 5. Execution, Authentication and Registration of the Series 2013A Bonds. Each of the Series 2013A Bonds shall be in fully registered form without coupons in denominations of $5,000 or any integral multiple of that amount. The officers of the City are directed to cause the Series 2013A Bonds to be prepared in sufficient quantity for delivery to or for the account of their purchaser and the Controller is directed to cause the blanks in the Series 2013A Bonds to be completed in accordance with the Authorizing Resolution and the Bond Award (as defined in Section 13), to procure their execution by the proper officers of the City (including by facsimile signature if necessary or convenient) and authentication as

provided in this Section, and to deliver the Series 2013A Bonds when so executed and authenticated to said purchaser in exchange for their purchase price, all in accordance with the Authorizing Resolution.

The Series 2013A Bonds and the certificate of authentication and registration, to be manually executed by the Treasurer of the City or designee thereof (the "City Treasurer"), and the form of assignment to appear on the Series 2013A Bonds shall be substantially in the form attached as Exhibit A (a copy of which is on file with the Clerk of the Board of Supervisors and which is declared to be a part of this Resolution as if fully set forth in this Resolution), with necessary or appropriate variations, omissions and insertions as permitted or required by this Resolution.

Only Series 2013A Bonds bearing a certificate of authentication and registration executed by the City Treasurer shall be valid or obligatory for any purpose or entitled to the benefits of the Authorizing Resolution and this Resolution, and such certificate of the City Treasurer, executed as provided in this Resolution, shall be conclusive evidence that the Series 2013A Bonds so authenticated have been duly authenticated and delivered under, and are entitled to the benefits of, the Authorizing Resolution and this Resolution.

The Controller shall assign a distinctive letter, or number, or letter and number to each Series 2013A Bond authenticated and registered by the City Treasurer and shall maintain a record thereof which shall be available for inspection.

Section 6. Registration Books. The City Treasurer shall keep or cause to be kept, at the office of the City Treasurer or at the designated office of any registrar appointed by the City Treasurer, separate and sufficient books for the registration and transfer of Series 2013A Bonds, which books shall at all times be open to inspection, and upon presentation for such purpose, the City Treasurer shall, under such reasonable regulations as he or she may prescribe, register or transfer or cause to be registered or transferred, on said books, Series

2013A Bonds as provided in this Resolution. The City and the City Treasurer may treat the registered owner of each Series 2013A Bond as its absolute owner for all purposes, and the City and the City Treasurer shall not be affected by any notice to the contrary.

Section 7. Transfer or Exchange of Series 2013A Bonds. Any Series 2013A Bond may, in accordance with its terms, be transferred upon the books required to be kept pursuant to the provisions of Section 6, by the person in whose name it is registered, in person or by the duly authorized attorney of such person in writing, upon surrender of such Series 2013A Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the City Treasurer.

Any Series 2013A Bond may be exchanged at the office of the City Treasurer for a like aggregate principal amount of other authorized denominations of the same interest rate and maturity.

Whenever any Series 2013A Bond shall be surrendered for transfer or exchange, the designated City officials shall execute (as provided in Section 5) and the City Treasurer shall authenticate and deliver a new Series 2013A Bond of the same interest rate and maturity in a like aggregate principal amount. The City Treasurer shall require the payment by any bond owner requesting any such transfer of any tax or other governmental charge required to be paid with respect to such transfer or exchange.

No transfer or exchange of Series of 2012A Bonds shall be required to be made by the City Treasurer during the period from the Record Date (as defined in Section 8(b)) next preceding each interest payment date to such interest payment date or after a notice of redemption shall have been mailed with respect to such Series 2013A Bonds.

Section 8. Terms of the Series 2013A Bonds; General Redemption Provisions.

(a) Date of the Series 2013A Bonds. The Series 2013A Bonds shall be dated the date of their delivery or such other date (the "Dated Date") as is specified in the Bond Award.

(b) Payment of the Series 2013A Bonds. The principal of the Series 2013A Bonds shall be payable in lawful money of the United States of America to their owners, upon surrender at maturity or earlier redemption at the office of the City Treasurer. The interest on the Series 2013A Bonds shall be payable in like lawful money to the person whose name appears on the bond registration books of the City Treasurer as the owner as of the close of business on the last day of the month immediately preceding an interest payment date (the "Record Date"), whether or not such day is a Business Day (as defined below).

Except as may be otherwise provided in connection with any book-entry only system applicable to the Series 2013A Bonds, payment of the interest on any Series 2013A Bond shall be made by check mailed on the interest payment date to such owner at such owner's address as it appears on the registration books as of the Record Date; provided, that if any interest payment date occurs on a day that banks in California or New York are closed for business or the New York Stock Exchange is closed for business, then such payment shall be made on the next succeeding day that banks in both California and New York are open for business and the New York Stock Exchange is open for business (each, a "Business Day"); and provided, further, that the registered owner of an aggregate principal amount of at least $1,000,000 of Series 2013A Bonds may submit a written request to the City Treasurer on or before a Record Date preceding an interest payment date for payment of interest on the next succeeding interest payment date and thereafter by wire transfer to a commercial bank located within the United States of America.

For so long as any Series 2013A Bonds are held in book-entry form by a securities depository selected by the City pursuant to Section 11, payment shall be made to the registered owner of the Series 2013A Bonds designated by such securities depository by wire transfer of immediately available funds.

(c) Interest on the Series 2013A Bonds. The Series 2013A Bonds shall bear interest at rates to be determined upon the sale of the Series 2013A Bonds, calculated on the basis of a 360-day year comprised of twelve 30-day months, payable on December 15, 2013 (or such other date as may be designated in the Bond Award), and semiannually thereafter on June 15 and December 15 of each year. Each Series 2013A Bond shall bear interest from the interest payment date next preceding the date of its authentication unless it is authenticated as of a day during the period from the Record Date next preceding any interest payment date to the interest payment date, inclusive, in which event it shall bear interest from such interest payment date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from the Dated Date; provided, that if, at the time of authentication of any Series 2013A Bond, interest is in default on the Series 2013A Bonds, such Series 2013A Bond shall bear interest from the interest payment date to which interest has previously been paid or made available for payment on the Series 2013A Bonds or from the Dated Date if the first interest payment is not made.

(d) Optional Redemption. The Series 2013A Bonds shall be subject to optional redemption prior to maturity as provided in the Official Notice of Sale or the Bond Award.

(e) Mandatory Redemption. The Series 2013A Bonds shall be subject to mandatory redemption at par, by lot, in any year in which the purchaser has designated that the principal amount payable with respect to that year shall constitute a mandatory sinking fund payment as permitted by the Official Notice of Sale. Any Series 2013A Bonds subject to mandatory redemption shall be designated as such in the Official Notice of Sale or the Bond Award.

The principal of and interest on the Series 2013A Bonds subject to mandatory redemption shall be paid from the Series 2013A Bond Account (as defined in Section 9), pursuant to Section 9. In lieu of any such mandatory redemption for Series 2013A Bonds, at any time prior to the selection of Series 2013A Bonds for mandatory redemption, the City may

apply amounts on deposit in the Series 2013A Bond Account to make such payment to the purchase, at public or private sale, of Series 2013A Bonds subject to such mandatory redemption, and when and at such prices not in excess of the principal amount thereof (including sales commission and other charges but excluding accrued interest), as the City may determine.

(f) Selection of Series 2013A Bonds for Redemption. Whenever less than all of the outstanding Series 2013A Bonds are called for redemption on any date, the City Treasurer will select the maturities of the Series 2013A Bonds to be redeemed in the sole discretion of the City Treasurer. Whenever less than all of the outstanding Series 2013A Bonds maturing on any one date are called for redemption on any one date, the City Treasurer will select the Series 2013A Bonds or portions thereof, in denominations of $5,000 or any integral multiple thereof, to be redeemed from the outstanding Series 2013A Bonds maturing on such date not previously selected for redemption, by lot, in any manner which the City Treasurer deems fair.

(g) Notice of Redemption. The date on which Series 2013A Bonds that are called for redemption are to be presented for redemption is called the "Redemption Date." The City Treasurer shall mail, or cause to be mailed, notice of any redemption of Series 2013A Bonds, postage prepaid, to the respective registered owners at the addresses appearing on the bond registration books not less than twenty (20) nor more than sixty (60) days prior to the Redemption Date. The notice of redemption shall (a) state the Redemption Date; (b) state the redemption price; (c) state the maturity dates of the Series 2013A Bonds to be redeemed and, if less than all of any such maturity is called for redemption, the distinctive numbers of the Series 2013A Bonds of such maturity to be redeemed, and in the case of any Series 2013A Bonds to be redeemed in part only, the respective portions of the principal amount to be redeemed; (d) state the CUSIP number, if any, of each Series 2013A Bond to be redeemed; (e) require that such Series 2013A Bonds be surrendered by the owners at the office of the

City Treasurer or his or her agent; and (f) give notice that interest on such Series 2013A Bonds or portions of Series 2013A Bonds to be redeemed will cease to accrue after the Redemption Date. Notice of optional redemption may be conditional upon receipt of funds or other event specified in the notice of redemption as provided in subsection (j) of this Section 8.

The actual receipt by the owner of any Series 2013A Bond of notice of such redemption shall not be a condition precedent to redemption, and failure to receive such notice, or any defect in such notice so mailed, shall not affect the validity of the proceedings for the redemption of such Series 2013A Bonds or the cessation of accrual of interest on such Series 2013A Bonds on the Redemption Date.

Notice of redemption also shall be given, or caused to be given by the City Treasurer, by (i) registered or certified mail, postage prepaid, (ii) confirmed facsimile transmission, (iii) overnight delivery service, or (iv) to the extent acceptable to the intended recipient, email or similar electronic means, to (a) all organizations registered with the Securities and Exchange Commission as securities depositories and (b) such other services or organizations as may be required in accordance with the Continuing Disclosure Certificate described in Section 19.

The notice or notices required for redemption shall be given by the City Treasurer or any agent appointed by the City. A certificate of the City Treasurer or such other appointed agent of the City that notice of redemption has been given to the owner of any Series 2013A Bond to be redeemed in accordance with this Resolution shall be conclusive against all parties.

(h) Series 2013A Redemption Account. At the time the City Treasurer or the Controller of the City or his or her designee (the "Controller") determines to optionally call and redeem any of the Series 2013A Bonds, the City Treasurer or his or her agent shall establish a redemption account to be described or known as the "General Obligation Bonds, Series

2013A Redemption Account" (the "Series 2013A Redemption Account"), and prior to or on the Redemption Date there must be set aside in the Series 2013A Redemption Account moneys available for the purpose and sufficient to redeem, as provided in this Resolution, the Series 2013A Bonds designated in said notice of redemption, subject to the provisions of subsection (j) of this Section. Said moneys must be set aside in the Series 2013A Redemption Account solely for the purpose of, and shall be applied on or after the Redemption Date to, payment of the redemption price of the Series 2013A Bonds to be redeemed upon presentation and surrender of such Series 2013A Bonds. Any interest due on or prior to the Redemption Date may be paid from the Series 2013A Bond Account as provided in Section 9 or from the Series 2013A Redemption Account. Moneys held from time to time in the Series 2013A Redemption Account shall be invested by the City Treasurer pursuant to the City's policies and guidelines for investment of moneys in the General Fund of the City. If, after all of the Series 2013A Bonds have been redeemed and canceled or paid and canceled, there are moneys remaining in the Series 2013A Redemption Account, said moneys shall be transferred to the General Fund of the City or to such other fund or account as required by applicable law; provided, that if said moneys are part of the proceeds of refunding bonds, said moneys shall be transferred pursuant to the resolution authorizing such refunding bonds.

(i) Effect of Redemption. When notice of optional redemption has been given substantially as provided in this Resolution, and when the amount necessary for the redemption of the Series 2013A Bonds called for redemption (principal, premium, if any, and accrued interest to such Redemption Date) is set aside for that purpose in the Series 2013A Redemption Account, the Series 2013A Bonds designated for redemption shall become due and payable on the Redemption Date, and upon presentation and surrender of said Series 2013A Bonds at the place specified in the notice of redemption, such Series 2013A Bonds shall be redeemed and paid at said redemption price out of said Series 2013A Redemption

Account. No interest will accrue on such Series 2013A Bonds called for redemption after the Redemption Date and the registered owners of such Series 2013A Bonds shall look for payment of such Series 2013A Bonds only to the Series 2013A Redemption Account. All Series 2013A Bonds redeemed shall be canceled immediately by the City Treasurer and shall not be reissued.

(j) Conditional Notice of Redemption; Rescission of Redemption. Any notice of optional redemption given as provided in Section 8(g) may provide that such redemption is conditioned upon: (i) deposit in the Series 2013A Redemption Account of sufficient moneys to redeem the Series 2013A Bonds called for optional redemption on the anticipated Redemption Date, or (ii) the occurrence of any other event specified in the notice of redemption. If conditional notice of redemption has been given substantially as provided in this subsection (j), and on the scheduled Redemption Date (i) sufficient moneys to redeem the Series 2013A Bonds called for optional redemption on the Redemption Date have not been deposited in the Series 2013A Redemption Account, or (ii) any other event specified in the notice of redemption as a condition to the redemption has not occurred, then (y) the Series 2013A Bonds for which conditional notice of redemption was given shall not be redeemed on the anticipated Redemption Date and shall remain Outstanding for all purposes of this Resolution, and (z) the redemption not occurring shall not constitute a default under this Resolution or the Authorizing Resolution.

The City may rescind any optional redemption and notice of it for any reason on any date prior to any Redemption Date by causing written notice of the rescission to be given to the owners of all Series 2013A Bonds so called for redemption. Notice of any such rescission of redemption shall be given in the same manner notice of redemption was originally given. The actual receipt by the owner of any Series 2013A Bond of notice of such rescission shall

not be a condition precedent to rescission, and failure to receive such notice or any defect in such notice so mailed shall not affect the validity of the rescission.

Section 9. Series 2013A Bond Account. There is established with the City Treasurer a special subaccount in the General Obligation Bonds (Clean and Safe Neighborhood Parks General Obligation Bonds, 2012) Bond Account (the "Bond Account") created pursuant to the Authorizing Resolution to be designated the "General Obligation Bonds, Series 2013A Bond Subaccount" (the "Series 2013A Bond Account"), to be held separate and apart from all other accounts of the City. All interest earned on amounts on deposit in the Series 2013A Bond Account shall be retained in the Series 2013A Bond Account.

On or prior to the date on which any payment of principal of or interest on the Series 2013A Bonds is due, including any Series 2013A Bonds subject to mandatory redemption on said date, the City Treasurer shall allocate to and deposit in the Series 2013A Bond Account, from amounts held in the Bond Account, an amount which, when added to any available moneys contained in the Series 2013A Bond Account, is sufficient to pay principal of and interest on the Series 2013A Bonds on such date

On or prior to the date on which any Series 2013A Bonds are to be redeemed at the option of the City pursuant to this Resolution, the City Treasurer may allocate to and deposit in the Series 2013A Redemption Account, from amounts held in the Bond Account pursuant to Section 8 of the Authorizing Resolution, an amount which, when added to any available moneys contained in the Series 2013A Redemption Account, is sufficient to pay principal, interest and premium, if any, with respect to such Series 2013A Bonds on such date. The City Treasurer may make such other provision for the payment of principal of and interest and any redemption premium on the Series 2013A Bonds as is necessary or convenient to permit the optional redemption of the Series 2013A Bonds.

Amounts in the Series 2013A Bond Account may be invested in any investment of the City in which moneys in the General Fund of the City are invested. The City Treasurer may (i) commingle any of the moneys held in the Series 2013A Bond Account with other City moneys or (ii) deposit amounts credited to the Series 2013A Bond Account into a separate fund or funds for investment purposes only; provided, that all of the moneys held in the Series 2013A Bond Account shall be accounted for separately notwithstanding any such commingling or separate deposit by the City Treasurer.

Section 10. Series 2013A Project Account. There is established with the City Treasurer a special subaccount in the General Obligation Bonds (Clean and Safe Neighborhood Parks General Obligation Bonds, 2012) Project Account (the "Project Account") created pursuant to the Authorizing Resolution to be designated the "General Obligation Bonds, Series 2013A Project Subaccount" (the "Series 2013A Project Account"), to be held separate and apart from all other accounts of the City. All interest earned on amounts on deposit in the Series 2013A Project Account shall be retained in the Series 2013A Project Account. Amounts in the Series 2013A Project Account shall be expended in accordance with the provisions of the Authorizing Resolution for the acquisition, construction or reconstruction of the Project (as defined in the Authorizing Resolution).

Amounts in the Series 2013A Project Account may be invested in any investment of the City in which moneys in the General Fund of the City are invested. The City Treasurer may (i) commingle any of the moneys held in the Series 2013A Project Account with other City moneys or (ii) deposit amounts credited to the Series 2013A Project Account into a separate fund or funds for investment purposes only; provided, that all of the moneys held in the Series 2013A Project Account (including interest earnings) shall be accounted for separately notwithstanding any such comingling or separate deposit by the City Treasurer.

The City Treasurer is authorized to pay or cause to be paid from the proceeds of the Series 2013A Bonds, on behalf of the City, the costs of issuance associated with the Series 2013A Bonds. Costs of issuance of the Series 2013A Bonds shall include, without limitation, bond and financial printing expenses, mailing and publication expenses, rating agency fees, the fees and expenses of paying agents, registrars, financial consultants, disclosure counsel and co-bond counsel, and the reimbursement of departmental expenses in connection with the issuance of the Series 2013A Bonds.

Section 11. Appointment of Depositories and Other Agents. The City Treasurer is authorized and directed to appoint one or more depositories as he or she may deem desirable and the procedures set forth in Section 6, Section 7 and Section 8 relating to registration of ownership of the Series 2013A Bonds and payments and redemption notices to owners of the Series 2013A Bonds may be modified to comply with the policies and procedures of such depository. The City will not have any responsibility or obligation to any purchaser of a beneficial ownership interest in any Series 2013A Bonds or to any participants in such a depository with respect to (i) the accuracy of any records maintained by such securities depository or any participant therein; (ii) any notice that is permitted or required to be given to the owners of Series 2013A Bonds under this Resolution; (iii) the selection by such securities depository or any participant therein of any person to receive payment in the event of a partial redemption of Series 2013A Bonds; (iv) the payment by such securities depository or any participant therein of any amount with respect to the principal or redemption premium, if any, or interest due with respect to Series 2013A Bonds; (v) any consent given or other action taken by such securities depository as the owner of Series 2013A Bonds; or (vi) any other matter.

The Depository Trust Company ("DTC") is appointed as depository for the Series 2013A Bonds. The Series 2013A Bonds shall be initially issued in book-entry form. Upon

initial issuance, the ownership of each Series 2013A Bond shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. So long as each Series 2013A Bond is registered in book-entry form, each Series 2013A Bond shall be registered in the name of Cede & Co. or in the name of such successor nominee as may be designated from time to time by DTC or any successor as depository.

The City Treasurer is also authorized and directed to appoint one or more agents as he or she may deem necessary or desirable. To the extent permitted by applicable law and under the supervision of the City Treasurer, such agents may serve as paying agent, fiscal agent, rebate calculation agent, escrow agent or registrar for the Series 2013A Bonds or may assist the City Treasurer in performing any or all of such functions and such other duties as the City Treasurer shall determine. Such agents shall serve under such terms and conditions as the City Treasurer shall determine. The City Treasurer may remove or replace agents appointed pursuant to this paragraph at any time.

Section 12. Defeasance Provisions. Payment of all or any portion of the Series 2013A Bonds may be provided for prior to such Series 2013A Bonds' respective stated maturities by irrevocably depositing with the City Treasurer (or any commercial bank or trust company designated by the City Treasurer to act as escrow agent):

(a) An amount of cash equal to the principal amount of all of the Series 2013A Bonds or portion thereof to be defeased, and all unpaid interest thereon to maturity, except that in the case of any portion of the Series 2013A Bonds that is to be redeemed prior to such Series 2013A Bonds' respective stated maturities and in respect of which notice of such redemption shall have been given as provided in Section 8 or an irrevocable election to give such notice shall have been made by the City, the amount to be deposited shall be the principal amount thereof, all unpaid interest thereon to the Redemption Date, and premium, if any, due on such Redemption Date; or

(b) Defeasance Securities (as defined below) not subject to call, except as provided below in the definition of that term, maturing and paying interest at such times and in such amounts, together with interest earnings and cash, if required, as will, without reinvestment, as certified by an independent certified public accountant, be fully sufficient to pay the principal and all unpaid interest to maturity, or to the Redemption Date, as the case may be, and premium, if any, due on the portion of the Series 2013A Bonds to be redeemed, as such principal and interest come due; provided, that, in the case of Series 2013A Bonds that are to be redeemed prior to maturity, notice of such redemption shall be given as provided in Section 8 or an irrevocable election to give such notice shall have been made by the City; then, all obligations of the City with respect to said outstanding Series 2013A Bonds shall cease and terminate, except only the obligation of the City to pay or cause to be paid from the funds deposited pursuant to paragraphs (a) or (b) of this Section 12 to the owners of such Series 2013A Bonds all sums due with respect thereto and the obligations of the City pursuant to Section 18; and provided further, that the City shall have received an opinion of nationally recognized bond counsel that provision for the payment of such Series 2013A Bonds has been made in accordance with this Section 12.

For purposes of this Section 12, "Defeasance Securities" shall mean any of the following that at the time are legal investments under the laws of the State of California for the moneys proposed to be invested:

(1) United States Obligations (as defined below); and

(2) Pre-refunded fixed interest rate municipal obligations meeting the following conditions: (a) the municipal obligations are not subject to redemption prior to maturity, or the trustee or paying agent has been given irrevocable instructions concerning their calling and redemption and the issuer has covenanted not to redeem such obligations other than as set forth in such instructions; (b) the municipal obligations are secured by cash or United States

Obligations; (c) the principal of and interest on the United States Obligations (plus any cash in the escrow fund or the Series 2013A Redemption Account) are sufficient to meet the liabilities of the municipal obligations; (d) the United States Obligations serving as security for the municipal obligations are held by an escrow agent or trustee; (e) the United States Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and (f) the municipal obligations are rated, without regard to any numerical modifier, plus or minus sign or other modifier, at the time of original deposit to the escrow fund, by any two Rating Agencies (as defined below) not lower than the rating then maintained by such Rating Agencies on such United States Obligations.

For purposes of this Section 12, "United States Obligations" means (i) direct and general obligations of the United States of America, or obligations that are unconditionally guaranteed as to principal and interest by the United States of America, including without limitation, the interest component of Resolution Funding Corporation (REFCORP) bonds that have been stripped by request to the Federal Reserve Bank of New York in book-entry form or (ii) any security issued by an agency or instrumentality of the United States of America that is selected by the Director of Public Finance that results in the escrow fund being rated by any two Rating Agencies at the time of the initial deposit to the escrow fund and upon any substitution or subsequent deposit to the escrow fund, not lower than the rating then maintained by such Rating Agencies on United States Obligations described in clause (i) above.

For purposes of this Section 12, "Rating Agencies" means Moody's Investors Service, Inc., Fitch Ratings, and Standard and Poor's Rating Services, a division of The McGraw-Hill Companies, Inc., or any other nationally recognized bond rating agency that is the successor to any of the foregoing rating agencies or that is otherwise established after the date hereof.

Section 13. Official Notice of Sale; Receipt of Bids; Bond Award.

(a) Official Notice of Sale. The form of proposed Official Notice of Sale inviting bids for the Series 2013A Bonds (the "Official Notice of Sale") submitted to the Board is approved and adopted as the Official Notice of Sale inviting bids for the Series 2013A Bonds, with such changes, additions and modifications as may be made in accordance with Section 20. The Director of Public Finance is authorized and directed to cause to be mailed or otherwise circulated to prospective bidders for the Series 2013A Bonds copies of the Official Notice of Sale, subject to such corrections, revisions or additions as may be acceptable to the Director of Public Finance.

(b) Receipt of Bids. Bids shall be received on the date designated by the Director of Public Finance pursuant to Section 4.

(c) Bond Award. As provided in the Official Notice of Sale, the City may reject any and all bids received for any reason. The Controller is authorized to award the Series 2013A Bonds to the responsible bidder whose bid (a) is timely received and conforms to the Official Notice of Sale, except to the extent informalities and irregularities are waived by the City as permitted by the Official Notice of Sale, and (b) represents the lowest true interest cost to the City in accordance with the procedures described in the Official Notice of Sale. The award, if made, shall be set forth in a certificate signed by the Controller setting forth the terms of the Series 2013A Bonds and the original purchasers (the "Bond Award"). The Controller shall provide a copy of the Bond Award as soon as practicable to the Clerk of the Board of Supervisors and the Director of Public Finance; provided, that failure to provide such copy shall not affect the validity of the Bond Award.

Section 14. Publication of Notice of Intention to Sell Bonds. The form of proposed Notice of Intention to Sell the Series 2013A Bonds (the "Notice of Intention to Sell Bonds") submitted to the Board is approved and adopted as the Notice of Intention to Sell the Series

2013A Bonds, and the Director of Public Finance is authorized and directed to cause the Notice of Intention to Sell Bonds, subject to such corrections, revisions or additions as may be made in accordance with Section 20, to be published once in The Bond Buyer or another financial publication generally circulated throughout the State of California.

Section 15. Sale of Series 2013A Bonds; Solicitation of Competitive Bids. The Board authorizes the sale of the Series 2013A Bonds by solicitation of competitive bids for the purchase of the Series 2013A Bonds on the date and at the place determined in accordance with the Official Notice of Sale and Section 4.

Section 16. Disposition of Proceeds of Sale. The proceeds of sale of the Series 2013A Bonds shall be applied by the City Treasurer as follows: (a) accrued interest, if any, shall be deposited into the Series 2013A Bond Account; (b) premium, if any, shall be deposited into the Series 2013A Bond Account; and (iii) remaining proceeds of sale shall be deposited into the Series 2013A Project Account.

Section 17. Official Statement. The form of proposed Preliminary Official Statement describing the Series 2013A Bonds (the "Preliminary Official Statement") submitted to the Board is approved and adopted as the Preliminary Official Statement describing the Series 2013A Bonds, with such additions, corrections and revisions as may be determined to be necessary or desirable made in accordance with Section 20. The Controller is authorized to cause the distribution of a Preliminary Official Statement deemed final for purposes of Securities and Exchange Commission Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended (the "Rule"), and to sign a certificate to that effect. The Director of Public Finance is authorized and directed to cause to be printed and mailed or electronically distributed to prospective bidders for the Series 2013A Bonds the Preliminary Official Statement in substantially the form of the Preliminary Official Statement approved and adopted by this Resolution, as completed, supplemented, corrected or revised. The

Controller is authorized and directed to approve, execute, and deliver the final Official Statement with respect to the Series 2013A Bonds, which final Official Statement shall be in the form of the Preliminary Official Statement, with such additions, corrections and revisions as may be determined to be necessary or desirable made in accordance with Section 20 and as are permitted under the Rule. The Director of Public Finance is authorized and directed to cause to be printed and mailed or electronically distributed the final Official Statement to all actual initial purchasers of the Series 2013A Bonds.

Section 18. Tax Covenants.

(a) General. The City covenants with the holders of the Series 2013A Bonds that, notwithstanding any other provisions of this Resolution, it shall not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of interest on the Series 2013A Bonds under Section 103 of the Code, and the regulations issued thereunder, as the same may be amended from time to time, and any successor provisions of law. Reference to a particular section of the Code shall be deemed to be a reference to any successor to any such section. The City shall not, directly or indirectly, use or permit the use of proceeds of the Series 2013A Bonds or any of the property financed or refinanced with proceeds of the Series 2013A Bonds, or any portion thereof, by any person other than a governmental unit (as such term is used in Section 141 of the Code), in such manner or to such extent as would result in the loss of exclusion of interest on the Series 2013A Bonds from gross income for federal income tax purposes.

(b) Use of Proceeds. The City shall not take any action, or fail to take any action, if any such action or failure to take action would cause the Series 2013A Bonds to be "private activity bonds" within the meaning of Section 141 of the Code, and in furtherance thereof, shall not make any use of the proceeds of the Series 2013A Bonds or any of the property financed or refinanced with proceeds of the Series 2013A Bonds, or any portion thereof, or

any other funds of the City, that would cause the Series 2013A Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. To that end, so long as any Series 2013A Bonds are outstanding, the City, with respect to such proceeds and property and such other funds, will comply with applicable requirements of the Code and all regulations of the United States Department of the Treasury issued thereunder, to the extent such requirements are, at the time, applicable and in effect. The City shall establish reasonable procedures necessary to ensure continued compliance with Section 141 of the Code and the continued qualification of the Series 2013A Bonds as "governmental bonds."

(c) Arbitrage. The City shall not, directly or indirectly, use or permit the use of any proceeds of the Series 2013A Bonds, or of any property financed or refinanced by the Series 2013A Bonds, or other funds of the City, or take or omit to take any action, that would cause the Series 2013A Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code. To that end, the City shall comply with all requirements of Section 148 of the Code and all regulations of the United States Department of the Treasury issued thereunder to the extent such requirements are, at the time, in effect and applicable to the Series 2013A Bonds.

(d) Federal Guarantee. The City shall not make any use of the proceeds of the Series 2013A Bonds or any other funds of the City, or take or omit to take any other action, that would cause the Series 2013A Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

(e) Information Reporting. The City shall take or cause to be taken all necessary action to comply with the information reporting requirement of Section 149(e) of the Code with respect to the Series 2013A Bonds.

(f) Hedge Bonds. The City shall not make any use of the proceeds of the Series 2013A Bonds or any other amounts or property, regardless of the source, or take any action or refrain from taking any action that would cause the Series 2013A Bonds to be considered

"hedge bonds" within the meaning of Section 149(g) of the Code unless the City takes all necessary action to assure compliance with the requirements of Section 149(g) of the Code.

(g) Compliance with Tax Certificate. In furtherance of the foregoing tax covenants of this Section 18, the City covenants that it will comply with the provisions of the Tax Certificate to be executed by the City with respect to the Series 2013A Bonds, dated the date of issuance of the Series 2013A Bonds, as such Tax Certificate may be amended from time to time. This covenant shall survive payment in full or defeasance of the Series 2013A Bonds.

Section 19. Continuing Disclosure Certificate. The form of Continuing Disclosure Certificate (the "Continuing Disclosure Certificate"), to be signed by the City to permit the original purchasers of the Series 2013A Bonds to comply with the Rule, submitted to the Board is approved and adopted as the Continuing Disclosure Certificate, with such additions, corrections and revisions as may be determined to be necessary or desirable made in accordance with Section 20. The Controller is authorized and directed to execute the Continuing Disclosure Certificate on behalf of the City and deliver the Continuing Disclosure Certificate to the original purchasers of the Series 2013A Bonds.

Section 20. Modification to Documents. Any City official authorized by this Resolution to execute any document is further authorized, in consultation with the City Attorney and co-bond counsel, to approve and make such changes, additions, amendments or modifications to the document or documents such official is authorized to execute as may be necessary or advisable (provided, that such changes, additions, amendments or modifications shall not authorize an aggregate principal amount of Series 2013A Bonds in excess of $74,030,000 or conflict with the provisions of Section 4). The approval of any change, addition, amendment or modification to any of the aforementioned documents shall be evidenced conclusively by the execution and delivery of the document in question.

Section 21. Ratification. All actions previously taken by officials, employees and agents of the City with respect to the sale and issuance of the Series 2013A Bonds are approved, confirmed and ratified.

Section 22. Relationship to Authorizing Resolution. In the event of any conflict between this Resolution and the Authorizing Resolution, the terms of this Resolution shall control. Without limiting the foregoing and notwithstanding the provisions of the Authorizing Resolution, the City is not obligated to transfer money from the General Fund of the City to the Bond Account to pay the principal of or interest on the Series 2013A Bonds.

Section 23. Reimbursement. The City declares its official intent to reimburse prior expenditures of the City incurred prior to the issuance and sale of the Series 2013A Bonds in connection with the Project or portions thereof to be financed by the Series 2013A Bonds. The Board declares the City's intent to reimburse the City with the proceeds of the Series 2013A Bonds for the expenditures with respect to the Project (the "Expenditures" and each an "Expenditure") made on and after that date that is no more than 60 days prior to adoption of this Resolution. The City reasonably expects on the date of adoption of this Resolution that it will reimburse the Expenditures with the proceeds of the Series 2013A Bonds.

Each Expenditure was and will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Series 2013A Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the City so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the City. The maximum aggregate principal amount of the Series 2013A Bonds expected to be issued for the Project is $74,030,000. The City shall make a reimbursement allocation, which is a written allocation by the City that evidences the City's use of proceeds of the Series

2013A Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The City recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 24. Accountability Reports. The Series 2013A Bonds are subject to accountability requirements under the City's Administrative Code and the Bond Election Ordinance. Accountability report(s) with respect to the Series 2013A Bonds shall be submitted at the time(s) and in the manner required by the Administrative Code and the Bond Election Ordinance.

Section 25. Citizens' Oversight Committee. The Series 2013A Bonds are subject to, and incorporate by reference, the applicable provisions of the San Francisco Administrative Code Sections 5.30-5.36 (the "Citizens' General Obligation Bond Oversight Committee"), and, to the extent permitted by law, one tenth of one percent (0.1%) of the gross proceeds of the Series 2013A Bonds shall be deposited into a fund established by the Controller's Office and appropriated by the Board at the direction of the Citizens' General Obligation Bond Oversight Committee to cover the costs of such committee.

Section 26. CEQA Determination. The Board hereby reaffirms and incorporates by reference the CEQA findings and determinations set forth in Ordinance 161-12 as if set forth in full herein. The use of bond proceeds to finance any project or portion of any project with bond proceeds will be subject, as necessary, to approval of the Board upon completion of any planning and any further required environmental review under CEQA for the individual facilities and projects.

Section 27. General Authority. The Clerk of the Board of Supervisors, the Mayor, the City Treasurer, the Director of Public Finance, the City Attorney and the Controller are each authorized and directed in the name and on behalf of the City to take any and all steps and to issue, deliver or enter into any and all certificates, requisitions, agreements, notices, consents, and other documents as may be necessary to give effect to the provisions of this Resolution, including but not limited to letters of representations to any depository or depositories, which they or any of them might deem necessary or appropriate in order to consummate the lawful issuance, sale and delivery of the Series 2013A Bonds.

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By: _____
Mark D. Blake
Deputy City Attorney

n:\financ\as2013\1200368\00842547.doc

Exhibit A

Unless this bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to City or its agent for registration of transfer, exchange, or payment, and any bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE OF THIS BOND FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Number R-__ UNITED STATES OF AMERICA Amount

STATE OF CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO

GENERAL OBLIGATION BONDS (CLEAN AND SAFE NEIGHBORHOOD PARKS, 2012),

SERIES 2013A

Interest Rate	Maturity Date	Dated	CUSIP Number
____%	June 15, 20__	_____ _, 2013	_____

REGISTERED OWNER: Cede & Co.

PRINCIPAL AMOUNT: _____ Dollars

The City and County of San Francisco, State of California (the "**City**"), acknowledges

itself indebted to and promises to pay to the Registered Owner specified above or registered assigns, on the Maturity Date specified above, the Principal Amount of this bond specified above in lawful money of the United States of America, and to pay interest on the Principal Amount in like lawful money from the interest payment date next preceding the date of authentication of this bond (unless this bond is authenticated as of the day during the period from the last day of the month next preceding any interest payment date (the "**Record Date**") to such interest payment date, inclusive, in which event it shall bear from such interest payment date, or unless this bond is authenticated on or before November 30, 2013, in which event it shall bear interest from its dated date) until payment of such Principal Amount, at the Interest Rate per year specified above calculated on the basis of a 360-day year comprised of twelve 30-day months, payable on December 15, 2013 and semiannually thereafter on June 15 and December 15 in each year; *provided*, that if any interest payment date occurs on a day that banks in California or New York are closed for business or the New York Stock Exchange is closed for business, then such payment shall be made on the next succeeding day that banks in both California and New York are open for business and the New York Stock Exchange is open for business (a "**Business Day**"). The principal of this bond is payable to the Registered Owner of this bond upon the surrender of this bond at the office of the Treasurer of the City (the "**City Treasurer**"). The interest on this bond is payable to the person whose name appears on the bond registration books of the City Treasurer as the Registered Owner of this bond as of the close of business on the Record Date immediately preceding an interest payment date, whether or not such day is a Business Day, such interest to be paid by check mailed on the interest payment date to such Registered Owner at the owner's address as it appears on such registration books; *provided*, that the Registered Owner of bonds in an aggregate principal amount of at least $1,000,000 may submit a written request to the City Treasurer on or before the Record Date preceding any interest payment date for payment of

interest by wire transfer to a commercial bank located in the United States of America.

This bond is one of a duly authorized issue of bonds (the "**Bonds**") of like tenor (except for such variations, if any, as may be required to designate varying numbers, denominations, interest rates and maturities), in the aggregate principal amount of $74,030,000, which is part of a bond authorization in the aggregate original principal amount of $195,000,000 authorized by the affirmative votes of more than two-thirds of the voters voting at a special election duly and legally called, held and conducted in the City on November 6, 2012 and is issued and sold by the City pursuant to and in strict conformity with the provisions of the Constitution and laws of the State of California, the Charter of the City and resolutions adopted by the Board of Supervisors of the City (the "**Board of Supervisors**") on May __, 2013 (collectively, together with the related Certificate of Award, the "**Resolutions**").

The Bonds are issuable as fully registered bonds without coupons in the denominations of $5,000 or any integral multiple of such amount, *provided* that no bond shall have principal maturing on more than one principal maturity date. Subject to the limitations and conditions and upon payment of the charges, if any, provided in the Resolutions, the Bonds may be exchanged for a like aggregate principal amount of Bonds of other authorized denominations of the same interest rate and maturity.

This bond is transferable by its registered owner, in person or by its attorney duly authorized in writing, at the office of the City Treasurer, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolutions, and upon surrender and cancellation of this bond. Upon such transfer, a new bond or bonds of authorized denomination or denominations for the same interest rate and same aggregate principal amount will be issued to the transferee in exchange for this bond.

The City Treasurer will not be required to exchange or register the transfer of this bond during the period (a) from the Record Date for an interest payment date to the opening of

business on such interest payment date or (b) after notice of redemption of this bond or any portion of this bond has been mailed.

Bonds maturing on and before June 15, 20__, are not redeemable prior to their maturity.

Bonds maturing on and after June 15, 20__, are subject to optional redemption from any available funds, in whole or in part, on any date on or after June 15, 20__, at a price equal to their principal amount plus in each case accrued interest to the date of redemption, without redemption premium. If less than all of the outstanding Bonds are to be redeemed, they may be redeemed in any order of maturity as determined by the City. If less than all of the outstanding Bonds of a maturity are to be redeemed, the Bonds or portions of Bonds of such maturity to be redeemed shall be selected by the City Treasurer, in authorized denominations of $5,000 or integral multiples of that amount, from among Bonds of that maturity not previously called for redemption, by lot, in any manner which the City Treasurer deems fair.

Bonds maturing on June 15, 20__, are subject to mandatory sinking fund redemption on June 15 of each of the years 20__ through 20__, inclusive, and at maturity in the respective amounts provided in the Resolutions.

Bonds maturing on June 15, 20__, are subject to mandatory sinking fund redemption on June 15 of each of the years 20__ through 20__, inclusive, and at maturity in the respective amounts provided in the Resolutions.

Notice of the redemption of Bonds which by their terms shall have become subject to redemption shall be given or caused to be given to the registered owner of each bond or portion of a bond called for redemption not less than 20 or more than 60 days before any date established for redemption of Bonds, by the City Treasurer on behalf of the City, first class mail, postage prepaid, sent to the registered owner's last address, if any, appearing on the registration books kept by the City Treasurer. Official notices of redemption will contain the

information specified in the Resolutions.

On or prior to any redemption date, the City is required to deposit an amount of money sufficient to pay the redemption price of all of the Bonds or portions of Bonds which are to be redeemed on that date or, in the case of optional redemptions only, the optional redemption and notice of it will be rescinded and the City's failure to deposit such amount will not be a default. In addition, the City may at its option rescind any optional redemption and notice of it for any reason on any date prior to the applicable redemption date. Notice of rescission of an optional redemption shall be given in the same manner as notice of redemption was originally given,

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless such redemption and notice of it shall have been rescinded or unless the City shall default in the payment of the redemption price), such Bonds or portions of Bonds shall cease to bear interest. Neither the failure to mail such redemption notice, nor any defect in any notice so mailed, to any particular registered owner, shall affect the sufficiency of such notice with respect to other Bonds.

Notice of redemption, or notice of rescission of an optional redemption, having been properly given, failure of a registered owner to receive such notice shall not be deemed to invalidate, limit or delay the effect of the notice or redemption action described in the notice.

The City and the City Treasurer may treat the registered owner of this bond as the absolute owner of this bond for all purposes, and the City and the City Treasurer shall not be affected by any notice to the contrary.

The City Treasurer may appoint agents to serve as bond registrar or paying agent, as provided in the Resolutions.

The Board of Supervisors certifies, recites and declares that the total amount of

indebtedness of the City, including the amount of this bond, is within the limit provided by law, that all acts, conditions and things required by law to be done or performed precedent to and in the issuance of this bond have been done and performed in strict conformity with the laws authorizing the issuance of this bond, that this bond is in the form prescribed by order of the Board of Supervisors duly made and entered on its minutes, and the money for the payment of principal of this bond, and the payment of interest thereon, shall be raised by taxation upon the taxable property of the City as provided in the Resolutions.

This bond shall not be entitled to any benefit under the Resolutions, or become valid or obligatory for any purpose, until the certificate of authentication and registration on this bond shall have been signed by the City Treasurer.

IN WITNESS WHEREOF the Board of Supervisors has caused this bond to be executed by the Mayor of the City and to be countersigned by the Clerk of the Board of Supervisors, all as of _____ __, 2013.

_____

Mayor of the City and
County of San Francisco

Countersigned:

_____

Clerk of the Board of Supervisors

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This is one of the bonds described in the within-mentioned Resolutions, which has been authenticated on the date set forth below.

Date of Authentication: _____

_____

Treasurer of the City and
County of San Francisco

ASSIGNMENT

The following abbreviations, when used in the inscription on this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

Unif Gift Min Act - _____ Custodian _____

(Cust) (Minor)

under Uniform Gifts to Minors Act _____

(State)

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as tenants in common

_____

(Name and Address of Assignee)

the within Bond and does irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

/s/_____

Dated:

Signature guaranteed:

Notice: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Notice: The signature(s) should be guaranteed by an eligible guarantor institution (banks, stockbrokers, savings and loan associations and credit unions with membership in approved Signature Guarantee Medallion Program).

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130377 **Date Passed:** May 21, 2013

Resolution authorizing and directing the sale of not to exceed $74,030,000 aggregate principal amount of City and County of San Francisco Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive Sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement Relating to the Sale of Said Bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

May 15, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130377

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

The Attestation of the Votes shall be by Wet Signature Not by facs-mile ACC

Angela Calvillo
Angela Calvillo
Clerk of the Board

Edwin M. Lee
Mayor

5/28/13
Date Approved

FILE NO. 130335 RESOLUTION NO. 158-13

[Airport Lease Amendment - Gotham Enterprises, LLC - Minimum Annual Guarantee $37,353]

Resolution approving Amendment No. 1 to the Domestic Terminal Food and Beverage Lease No. 03-0193 between Gotham Enterprises, LLC, and the City and County of San Francisco, acting by and through its Airport Commission with a minimum annual guarantee of $37,353 for the term of September 29, 2003, through February 23, 2017.

WHEREAS, by Resolution No. 03-0193, adopted September 29, 2003, the Airport Commission awarded the Domestic Terminal Food and Beverage Lease ("Lease") for approximately 1,037 square feet to Gotham Enterprises, LLC; and

WHEREAS, by Resolution No. 09-0121, adopted on May 22, 2009, the Airport Commission approved one option to extend the term for two years ("Option Term"); and

WHEREAS, by Resolution No. 13-0015, adopted on January 30, 2013, the Airport Commission approved Amendment No. 1 to the Domestic Terminal Food and Beverage Lease No.03-0193 with Gotham Enterprises, LLC; now, therefore, be it

RESOLVED, That this Board of Supervisors approves Amendment No. 1 which (1) decreases the premises by approximately 310 square feet and allows the permanent closure of the Peet's Coffee and Tea location in Terminal 1, (2) reduces the Minimum Annual Guarantee ("MAG") to $37,353 for the current Lease Year, (3) approves the calculation of future MAG Adjustments based on the initial MAG of $29,080, (4) decreases the Tenant Infrastructure Fee to $10,905, and (5) decreases the Promotional Charge to $727 to reflect the lower square footage; and, be it

FURTHER RESOLVED, That the Lease Agreement and Lease Amendment No. 1 are on file with the Clerk of the Board of Supervisors in File Number 130335, which is hereby declared to be a part of this resolution as if set forth fully herein.

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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130335 **Date Passed:** May 21, 2013

Resolution approving Amendment No. 1 to the Domestic Terminal Food and Beverage Lease No. 03-0193 between Gotham Enterprises, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of $37,353, for the term of September 29, 2003, through February 23, 2017.

May 15, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130335

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/31/13
Date Approved

FILE NO. 130378 RESOLUTION NO. 159-13

[Lease - Data Center Space - 3101 Gold Center Drive, Rancho Cordova, California - Initial Term of Two Years - Base Annual Rental Rate of $130,473.84]

Resolution authorizing the use of space and communication services within an existing data center located at 3101 Gold Center Drive, Rancho Cordova, California, from the State of California Technology Agency, Office of Technology Services, through an Agreement; and authorizing certain amendments and extensions to said Agreement as warranted for an initial term of two years with a base annual rental rate of $130,473.84.

WHEREAS, Critical business systems of the City and County of San Francisco should have redundant recovery systems and facilities to be used in the event primary data centers become non-functional due to a natural disaster, criminal activity, or other emergency; and

WHEREAS, The City and County of San Francisco's current information technology Disaster Recovery ("DR") process involves the use of an off-site facility that employs outdated processes to protect the City's ability to recover from an unforeseen disaster, at a location where the City has limited monitoring capabilities, infrequent testing of critical systems, and a relatively high cost; and

WHEREAS, The Department of Technology had adopted a policy that calls for the development of a comprehensive information technology DR plan that involves not only placing business critical infrastructure at 200 Paul Street in San Francisco (which has been accomplished), but also designating a DR hot site at an appropriate out of area location so that such business critical operations of the City may continue until normal business operations resume; and

WHEREAS, The DR site should provide the City with an ability to replicate City data on a regularly scheduled basis, be relatively accessible by the City, be in a secure and stable

GOVERNMENT
DOCUMENTS DEPT

JUL 29 2013

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PUBLIC LIBRARY

environment, provide an opportunity for monthly, quarterly and semi-annual tests to ensure full functionality, and be reasonably priced; and

WHEREAS, The State of California, through its California Technology Agency, Office of Technology Services (the "State"), has developed a robust disaster recovery facility located 3101 Gold Camp Road in Rancho Cordova, California (the "Facility"), and makes it available as a reasonable cost to other agencies desirous of securing off-site critical data redundancy in a secure and stable environment; and

WHEREAS, The City and County of San Francisco finds the Facility meets our DR objectives to recover as quickly and effectively as possible from an unforeseen disaster or emergency which interrupts information systems and business operations; and

WHEREAS, An Agreement with the State has been negotiated by the Director of Property, in consultation with the Department of Technology, which is on file with the Clerk of the Board of Supervisors under File No. 130378 (the "Agreement"); and

WHEREAS, The Agreement has an initial term of twenty four (24) months, from July 1, 2013 to June 30, 2015, with renewals available with no less than sixty (60) days prior written notice; and

WHEREAS, The base monthly rental cost is pursuant to a rate structure published by the State, which results in a starting rate of $10,872.82 per month to meet the needs of the City and County of San Francisco, with an additional one-time expense of $4,943 for necessary electrical circuits; and

WHEREAS, The Director of Property has determined that the proposed lease rates are reasonable and represent fair market rent for the Facility, given the services provided; now, therefore, be it

RESOLVED, That the Board of Supervisors, in accordance with the recommendations of the Director of Property and Director of Department of Technology, hereby approves the

Agreement, in substantially the form presented to this Board, and authorizes City staff to take all actions necessary to occupy the Facility consistent with the Agreement; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property, in consultation with the City Attorney and Director of the Department of Technology, to enter into any additions, amendments, extensions, or other modifications to the Agreement that the Director of Property determines are in the best interests of the City, do not materially decrease the benefits to the City, and are in compliance with all applicable laws, including the City's Charter, and may result in a fiscal impact due to either adjusted rate schedules as posted by the State, or expanded use of the Facility by City, or an extension of term not to exceed an additional forty-eight (48) months, and not to exceed an additional cost of occupancy of $5,000 per month; and, be it

FURTHER RESOLVED, That the Director of Property is hereby authorized and urged, in the name and on behalf of the City and County, to take any and all steps (including, but not limited to, the execution and delivery of any and all certificates, agreements, notices, consents, and other instruments or documents) as the Director of Property deems necessary or appropriate in order to consummate the Agreement, or to otherwise effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property of any such documents; and be it

FURTHER RESOLVED, That the City shall occupy the Facility for the full term of the Agreement unless funds for the rental payments are not appropriated in any subsequent fiscal year at which time the City may terminate the Agreement with advance notice to State. Said Agreement shall be subject to certification as to funds by the Controller, pursuant to Section 6.302 of the City Charter.

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to the Agreement, or authorized and directed by this Resolution, are hereby ratified, approved and confirmed by this Board of Supervisors.

$135,416.84 available
Index Code:
752004, Subfund 6I-TIF-ACP

Controller
Subject to the enactment of the Annual Appropriation Ordinance for Fiscal Year 2013/2014.

RECOMMENDED:

Director of Property

RECOMMENDED:

Acting Director
Department of Technology

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130378 **Date Passed:** May 21, 2013

Resolution authorizing the use of space and communication services within an existing data center located at 3101 Gold Center Drive, Rancho Cordova, California, from the State of California Technology Agency, Office of Technology Services, through an Agreement; and authorizing certain amendments and extensions to said Agreement as warranted for an initial term of two years with a base annual rental rent of $130,473.84.

May 15, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130378

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/31/13
Date Approved

AMENDED IN COMMITTEE
5/15/13

FILE NO. 130384 RESOLUTION NO. 160-13

[Airspace Lease - State of California - Property along Duboce Street, between Otis Street and Stevenson Street - SoMa West Skatepark - Initial Term of Twenty Years - Initial Monthly Base Rent $10,000]

Resolution approving the execution of an airspace lease for a portion of property commonly known as Lot 071, Block 3513 and located along Duboce Street between Otis Street and Stevenson Street, by and between the City and County of San Francisco (City), and the State of California, acting by and through its Department of Transportation, for an initial term of twenty years and an initial monthly rent of $10,000; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and eight priority policies; and authorizing other actions in furtherance of this Resolution.

WHEREAS, A portion of the former Central Freeway damaged by the 1989 Loma Prieta earthquake was replaced with a ground-level boulevard along Octavia Street from Market to Fell Streets; and

WHEREAS, The State of California, acting by and through its Department of Transportation (State) transferred certain real property formerly occupied by the Central Freeway (the "Central Freeway Parcels") to the City pursuant to Section 72.1 of the California Streets and Highways Code and a Cooperative Agreement between the City and the State dated November 29, 2000 ("Cooperative Agreement"), which transfer was authorized by Board Resolution No. 469-00, adopted by the City's Board of Supervisors on May 22, 2000, and signed by the City's Mayor on June 2, 2000. A copy of the Cooperative Agreement and Board Resolution No. 469-00 is on file with the Clerk of Board of Supervisors in File No. 130384 and incorporated herein by reference; and

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WHEREAS, Section 72.1 of the California Streets and Highways Code and the Cooperative Agreement require City to use the proceeds from the disposition of the excess Central Freeway parcels for transportation and related purposes authorized under Article XIX of the California Constitution; and

WHEREAS, In November of 1999, the voters of the City and County of San Francisco approved Proposition I, which required City to use the proceeds from the sale or disposition of excess Central Freeway Parcels for the Octavia Boulevard Plan, as defined in Proposition I, a copy of which is on file with the Clerk of Board of Supervisors in File No. 130384 and incorporated herein by reference; and

WHEREAS, Following completion of the Octavia Boulevard Plan, Proposition I required the City to utilize any remaining proceeds from the sale or disposition of excess Central Freeway Parcels (the "Remaining Proceeds") for transportation improvements to corridors on or ancillary to Octavia Boulevard, and directed the San Francisco Transportation Authority ("SFCTA") to allocate the Remaining Proceeds for such transportation improvements with advice from its Central Freeway Citizens Advisory Committee and its Technical Working Group and based on specified minimum criteria; and

WHEREAS, The SFCTA adopted the Central Freeway Replacement Project Ancillary Projects Study on February 28, 2006, a copy of which is on file with the Clerk of Board of Supervisors in File No. 130384 and incorporated herein by reference (the "Ancillary Projects Study"); and

WHEREAS, The Ancillary Projects Study identified twelve transportation projects (the "SoMa West Improvement Projects"), estimated to have a total cost of $5,400,000, to be funded from the Remaining Proceeds, which were estimated to be $5,750,000 in 2006; and

WHEREAS, One of the SoMa West Improvement Projects called for developing recreational uses under the portion of the Central Freeway structure restored by the State after the 1989 Loma Prieta earthquake; and

WHEREAS, Residents of the neighborhood impacted by the restoration of the damaged Central Freeway and the implementation of the Octavia Boulevard Plan, and the City-wide skateboarding community, have long expressed a desire for additional skatepark and open space amenities for recreational use within the neighborhood; and

WHEREAS, The City has identified a suitable State property under and adjacent to the Central Freeway and along Duboce Street between Stevenson Street and Otis Street (Lot 071, Block 3513) (the "Property"), which is currently used for parking and is capable of accommodating the proposed skatepark; and

WHEREAS, The State has agreed to lease the Property to the City, and the City has agreed to lease the Property from Caltrans, pursuant to the form of lease on file with the Clerk of Board of Supervisors in File No. 130384 and incorporated herein by reference (the "Lease"); and

WHEREAS, The City has agreed to improve the Property as a skateboard park, designed in concert with the neighborhood and the skateboard community, with the skatepark improvements funded from the Remaining Proceeds; and

WHEREAS, Once the skatepark improvements are installed at the Property, the City will maintain the Property through a interdepartmental Memorandum of Understanding ("Park MOU") by and among the Real Estate Division of the General Services Agency ("DRE"), Department of Public Works, Recreation and Parks Department ("RPD"), and the Office of Economic and Workforce Development, a copy of which is on file with the Clerk of Board of Supervisors in File No. 130384 and incorporated herein by reference; and

WHEREAS, To facilitate RPD's maintenance and operation of the skatepark for DRE pursuant to the Park MOU, this Board is considering a pending ordinance that would extend the requirements of the San Francisco Park Code to the public use of the skatepark at the Property during the term of the Lease, a copy of which is in the Clerk of Board of Supervisors File No. 130226 and incorporated herein by reference; and

WHEREAS, Although the proposed skatepark will provide recreational use of the Property, it will be subject to the term of the Lease and the impacts of being directly below the Central Freeway, and neither this Board's approval of the Lease nor adoption of Park Ordinance are intended to convert the Property into such a significant "park" or "recreational area" as those terms are used in 23 United States Code Section 138 and 49 United States Code Section 303; and

WHEREAS, The Lease will have an initial twenty-year term and an initial rent of $10,000.00 per month, with annual 2% increases in such monthly rent, and State will need to issue an encroachment permit to the City before the installation of skatepark improvements at the Property, as further described in Exhibit B of the Lease; and

WHEREAS, The Lease grants the City a ten-year option to extend the term of the Lease at a rate to be negotiated pursuant the Lease; and

WHEREAS, The City's Planning Department determined that the Lease is exempt from environmental review under the California Environmental Quality Review Act, as evidenced in a Certificate of Determination issued for Case No. 2011.0645E on October 21, 2011, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 130384 and is incorporated herein by reference; and

WHEREAS, In a General Plan Referral dated March 6, 2013, for Case No. 2011.0645R, the City's Planning Department found that the proposed project described in this Resolution is consistent with the City's General Plan pursuant to Section 4.105 of the Charter and Section 2A.53 of the Administrative Code, with a copy of such General Plan Referral on file with the Clerk of the Board of Supervisors in File No. 130384 and incorporated herein by reference. The Board of Supervisors finds that the project contemplated in this Resolution is consistent with the City's General Plan and with the Charter Section 4.105 and Administrative Code Section 2A.53 for the reason set forth in said letter; now, therefore, be it

RESOLVED, That in accordance with the recommendation of the Director of Property, the Director of Property is hereby authorized to enter into the Lease and take all actions on behalf of the City and County of San Francisco necessary to effect the Lease and perform City's obligations under the Lease; and, be it

FURTHER RESOLVED, That the Lease shall include a clause with City indemnifying, holding harmless, and defending the State and its officers, employees, and agents from and against any and all claims, suits, actions, injury, damage, and liability incurred as a result of any acts or omissions by City in the performance of its obligations under the Lease or any allegedly dangerous condition of public property based upon the condition of the Property, excluding those incurred as a result of the highway structure above the Property or the use of or activities on the Property by State or its officers, employees, or agents; and be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to enter into any amendments or modifications to the Lease (including, without limitation, the exhibits) that the Director of Property in consultation with the City Attorney, determines are in the best interest of the City, do not materially increase the obligations of the City or materially decrease the benefits of the City, are necessary or advisable to

consummate the performance of the purposes and intent of this Resolution, and comply with all applicable laws, including the City's Charter, including any modifications or amendments to the Lease; and be it

FURTHER RESOLVED, That the Lease shall be subject to certification as to funds by the Controller, pursuant to Section 105 of the City Charter.

$1,648,039.00 Available
BUF Index Code: _____
Project Code: _____

_____
CONTROLLER

RECOMMENDED:

_____
JOHN UPDIKE
DIRECTOR OF PROPERTY

Subject to the availability of funds in the FY 2013-14 budget.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130384 **Date Passed:** May 21, 2013

Resolution approving the execution of an airspace lease for a portion of property commonly known as Block No. 3513, Lot No. 071, and located along Duboce Street between Otis Street and Stevenson Street, by and between the City and County of San Francisco (City), and the State of California, acting by and through its Department of Transportation, for an initial term of twenty years and an initial monthly rent of $10,000; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and eight priority policies; and authorizing other actions in furtherance of this Resolution.

May 15, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

May 15, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130384

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/31/13
Date Approved

AMENDED IN COMMITTEE
5/15/13

FILE NO. 130385 RESOLUTION. 161-13

[Airspace Lease - State of California - Property under Highway 101 near Duboce Street, between Valencia Street and Stevenson Street - SoMa West Dog Park - Initial Term of Twenty Years - Total Base Rent $2,335,343]

Resolution approving the execution of an airspace lease for a portion of property commonly known as Lot 074, Block 3513 and located under Highway 101 near Duboce Street, between Valencia Street and Stevenson Street, by and between the City and County of San Francisco (City), and the State of California, acting by and through its Department of Transportation, for an initial term of twenty years and a total base rent of $2,335,343; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and eight priority policies; and authorizing other actions in furtherance of this Resolution.

WHEREAS, A portion of the former Central Freeway damaged by the 1989 Loma Prieta earthquake was replaced with a ground-level boulevard along Octavia Street from Market to Fell Streets; and

WHEREAS, The State of California, acting by and through its Department of Transportation (State) transferred certain real property formerly occupied by the Central Freeway (the "Central Freeway Parcels") to the City pursuant to Section 72.1 of the California Streets and Highways Code and a Cooperative Agreement between the City and the State dated November 29, 2000 ("Cooperative Agreement"), which transfer was authorized by Board Resolution No. 469-00, adopted by the City's Board of Supervisors on May 22, 2000, and signed by the City's Mayor on June 2, 2000. A copy of the Cooperative Agreement and Board Resolution No. 469-00 is on file with the Clerk of Board of Supervisors in File No. 130385 and incorporated herein by reference; and

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WHEREAS, Section 72.1 of the California Streets and Highways Code and the Cooperative Agreement require City to use the proceeds from the disposition of the excess Central Freeway parcels for transportation and related purposes authorized under Article XIX of the California Constitution; and

WHEREAS, In November of 1999, the voters of the City and County of San Francisco approved Proposition I, which required City to use the proceeds from the sale or disposition of excess Central Freeway Parcels for the Octavia Boulevard Plan, as defined in Proposition I, a copy of which is on file with the Clerk of Board of Supervisors in File No. 130385 and incorporated herein by reference; and

WHEREAS, Following completion of the Octavia Boulevard Plan, Proposition I required the City to utilize any remaining proceeds from the sale or disposition of excess Central Freeway Parcels (the "Remaining Proceeds") for transportation improvements to corridors on or ancillary to Octavia Boulevard, and directed the San Francisco Transportation Authority ("SFCTA") to allocate the Remaining Proceeds for such transportation improvements with advice from its Central Freeway Citizens Advisory Committee and its Technical Working Group and based on specified minimum criteria; and

WHEREAS, The SFCTA adopted the Central Freeway Replacement Project Ancillary Projects Study on February 28, 2006, a copy of which is on file with the Clerk of Board of Supervisors in File No. 130385 and incorporated herein by reference (the "Ancillary Projects Study"); and

WHEREAS, The Ancillary Projects Study identified twelve transportation projects (the "SoMa West Improvement Projects"), estimated to have a total cost of $5,400,000, to be funded from the Remaining Proceeds, which were estimated to be $5,750,000 in 2006; and

WHEREAS, One of the SoMa West Improvement Projects called for developing recreational uses under the portion of the Central Freeway structure restored by the State after the 1989 Loma Prieta earthquake; and

WHEREAS, Residents of the neighborhood impacted by the restoration of the damaged Central Freeway and the implementation of the Octavia Boulevard Plan have long expressed a desire for a dog park and open space amenities for recreational use within the neighborhood; and

WHEREAS, The City has identified a suitable State property under the Central Freeway under Highway 101 near Duboce Street, between Valencia Street and Stevenson Street (Lot 074, Block 3513) (the "Property"), which is currently used for parking and is capable of accommodating the proposed dog park; and

WHEREAS, The State has agreed to lease the Property to the City, and the City has agreed to lease the Property from Caltrans, pursuant to the form of lease on file with the Clerk of Board of Supervisors in File No. 130385 and incorporated herein by reference (the "Lease"); and

WHEREAS, The City has agreed to improve the Property with a dog park and a parking area designed in concert with the neighborhood, with the improvements funded from the Remaining Proceeds; and

WHEREAS, Once the improvements are installed at the Property, the City will maintain the Property through a interdepartmental Memorandum of Understanding ("Park MOU") by and among the Real Estate Division of the General Services Agency ("DRE"), Department of Public Works, Recreation and Parks Department ("RPD"), and the Office of Economic and Workforce Development, a copy of which is on file with the Clerk of Board of Supervisors in File No. 130385 and incorporated herein by reference; and

WHEREAS, To facilitate RPD's maintenance and operation of the dog park for DRE pursuant to the Park MOU, this Board is considering a pending ordinance that would extend the requirements of the San Francisco Park Code to the public use of the dog park at the Property during the term of the Lease, a copy of which is in the Clerk of Board of Supervisors File No. 130226 and incorporated herein by reference; and

WHEREAS, Although the proposed dog park will provide recreational use of the Property, it will be subject to the term of the Lease and the impacts of being directly below the Central Freeway, and neither this Board's approval of the Lease nor adoption of Park Ordinance are intended to convert the Property into such a significant "park" or "recreational area" as those terms are used in 23 United States Code Section 138 and 49 United States Code Section 303; and

WHEREAS, The Lease will have an initial twenty-year term and a total base rent of $2,335,343 paid at the commencement of the Lease, and State will need to issue an encroachment permit to the City before the installation of dog park and parking improvements at the Property, as further described in Exhibit B of the Lease; and

WHEREAS, The Lease grants the City a ten-year option to extend the term of the Lease at a rate to be negotiated pursuant the Lease; and

WHEREAS, The City's Planning Department determined that the Lease is exempt from environmental review under the California Environmental Quality Review Act, as evidenced in a Certificate of Determination issued for Case No. 2011.0645E on October 21, 2011, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 130385 and is incorporated herein by reference; and

WHEREAS, In a General Plan Referral dated March 6, 2013, for Case No. 2011.0645R, the City's Planning Department found that the proposed project described in this Resolution is consistent with the City's General Plan pursuant to Section 4.105 of the Charter and Section 2A.53 of the Administrative Code, with a copy of such General Plan Referral on file with the Clerk of the Board of Supervisors in File No. 130385 and incorporated herein by reference. The Board of Supervisors finds that the project contemplated in this Resolution is consistent with the City's General Plan and with the Charter Section 4.105 and Administrative Code Section 2A.53 for the reason set forth in said letter; now, therefore, be it

RESOLVED, That in accordance with the recommendation of the Director of Property, the Director of Property is hereby authorized to enter into the Lease and take all actions on behalf of the City and County of San Francisco necessary to effect the Lease and perform City's obligations under the Lease; and, be it

FURTHER RESOLVED, That the Lease shall include a clause with City indemnifying, holding harmless, and defending the State and its officers, employees, and agents from and against any and all claims, suits, actions, injury, damage, and liability incurred as a result of any acts or omissions by City in the performance of its obligations under the Lease or any allegedly dangerous condition of public property based upon the condition of the Property, excluding those incurred as a result of the highway structure above the Property or the use of or activities on the Property by State or its officers, employees, or agents; and be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to enter into any amendments or modifications to the Lease (including, without limitation, the exhibits) that the Director of Property in consultation with the City Attorney, determines are in the best interest of the City, do not materially increase the obligations of the City or materially decrease the benefits of the City, are necessary or advisable to

consummate the performance of the purposes and intent of this Resolution, and comply with all applicable laws, including the City's Charter, including any modifications or amendments to the Lease; and be it

FURTHER RESOLVED, That the Lease shall be subject to certification as to funds by the Controller, pursuant to Section 105 of the City Charter.

$2,335,343.00 Available
BUF Index Code: _____
Project Code: _____

CONTROLLER

* Subject to the availability of the FY 2013/14 budget.

RECOMMENDED:

JOHN UPDIKE
DIRECTOR OF PROPERTY

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130385 **Date Passed:** May 21, 2013

Resolution approving the execution of an airspace lease for a portion of property commonly known as Block No. 3513, Lot No. 074, and located under Highway 101 near Duboce Street, between Valencia Street and Stevenson Street, by and between the City and County of San Francisco (City), and the State of California, acting by and through its Department of Transportation, for an initial term of twenty years and a total base rent of $2,335,343; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and eight priority policies; and authorizing other actions in furtherance of this Resolution.

May 15, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

May 15, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130385

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/31/13
Date Approved

FILE NO. 130399 RESOLUTION NO. 162-13

[Report of Assessment Costs for Blighted Properties]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund.

RESOLVED, That after public hearings on February 22, 2012, March 14, 2012, April 11, 2012, May 9, 2012, June 13, 2012, July 11, 2012, August 8, 2012, September 12, 2012, October 10, 2012, November 14, 2012, December 12, 2012, January 9, 2013, and February 13, 2013, regarding any objections to the Director of Public Works for inspection fees pursuant to the provisions of Chapter 80 of the Administrative Code of the City and County of San Francisco, the costs thereof having been paid for by the City and County out of a Blight Abatement Fund, and after making such modifications, if any, as the Board of Supervisors deems necessary, the Board does hereby confirm said Report of Assessment costs described in Department of Public Works Order No. 181,187; and be it

FURTHER RESOLVED, That a copy of this Resolution and a copy of said itemized Report of Assessment Costs confirmed by the Board shall be transmitted to the Controller and Tax Collector of the City and County, whereupon it shall be the duty of said officers to add the amount of each assessment to the next regular bill for taxes levied against each respective parcel of land, and thereafter each said amount shall be collected at the same time and in the same manner as ordinary City and County taxes are collected, and shall be subject to the same procedure under foreclosure and sale in case of delinquency as provided for ordinary taxes of the City and County; and be it

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FURTHER RESOLVED, That all monies received in payment of the assessments shall be credited to the Blight Abatement Fund provided for in Chapter 80 of the Administrative Code.

Blight Abatement Fund (Index Code PWC302SWFSRF, Funds 2S-PWFSRF, Project / Work Phase PSMBLI000000).

RECOMMENDED:

Jerry Sanguinetti
Manager
Bureau of Street-Use & Mapping

APPROVED:

Mohammed Nuru
Director of Public Works

Report of Cost
Community Preservation and Blight Reduction Act
Special Assessment for 2013-2014 Property Tax Bill

Invoice Date	Invoice #	Block/Lot	Citation #	Street #	Street Name	Inspection Balance	Abatement Balance	12% Administrative Fee	Total Balance
5/16/2012, 10/18/2012	71283, 79415	3516/011	1270614	298	11TH ST	263.00	336.00	71.88	670.88
10/5/12	78746	3516/010	1317272	278	11TH ST	269.00		32.28	301.28
1/30/12	64359	3572/020C	1224974	2745	16TH ST	263.00		31.56	294.56
10/19/12	79472	3987/009	1323703	1001	17TH ST	269.00		32.28	301.28
3/7/12	66432	3587/049	1240893	3665	18TH ST	263.00		31.56	294.56
5/7/12	70900	3589/019	1266817	3416	19TH ST	263.00		31.56	294.56
7/2/12	73795	4085/016	1285912	2812	21ST ST	269.00		32.28	301.28
3/12/12	66736	4148/001A	1249203	2857	22ND ST	263.00		31.56	294.56
2/8/12	64851	3638/025	1232629	3180	23RD ST	263.00		31.56	294.56
10/8/12	78823	3638/025	1318557	3180	23RD ST	269.00		32.28	301.28
10/10/12	78918	4151/011	1318559	2800	23RD ST	269.00		32.28	301.28
2/6/12	64723	4206/018	1227452	2970	24TH ST	263.00		31.56	294.56
10/11/12	78964	4210/014	1318547	2750	24TH ST	269.00		32.28	301.28
10/11/12	78965	6517/018	1322642	3376	25TH ST	269.00		32.28	301.28
2/27/12	65868	3994/001B	1052771	2065	3RD ST		711.45	85.37	796.82
1/11/12	62992	4967/016	1222680	6299	3RD ST	263.00		31.56	294.56
1/11/12	62990	5278/016	1227066	4301	3RD ST	263.00		31.56	294.56
4/16/12	69818	4967/016	1259821	6299	3RD ST	263.00		31.56	294.56
9/13/12	77574	4941/019	1293448	6245	3RD ST	269.00		32.28	301.28
11/5/12	80375	4967/016	1328395	6299	3RD ST	269.00		32.28	301.28
5/26/12	73500	2081/001A	1270595	1817	44TH AVE	263.00		31.56	294.56
8/30/12	76798	3727/113	1306810	135	8TH ST	269.00		32.28	301.28
8/30/12	76799	3727/114	1307582	131	8TH ST	269.00		32.28	301.28
10/19/12	79470	3729/004	1323959	236	8TH ST	269.00		32.28	301.28
4/13/12	68544	5817/013	1252994	316	ALEMANY BLVD	263.00		31.56	294.56
3/22/12	67339	4879/018	1250143	1415	BANCROFT AVE	263.00		31.56	294.56
7/24/12	74764	5596/053	1288931	360	BAYSHORE BLVD	269.00		32.28	301.28
10/4/12	78687	5573/005	1310085	266	BAYSHORE BLVD	269.00		32.28	301.28
4/12/12	68486	3504/012	1258699	50	BRADY ST	263.00		31.56	294.56
1/10/12	62904	7113/063	1224870	195	BROAD ST	263.00		31.56	294.56
3/1/12	66056	3762/011	1243406	518	BRYANT ST	263.00		31.56	294.56
3/8/12	66486	4086/008	1247116	2290	BRYANT ST	263.00		31.56	294.56
12/25/12	82945	0670/017	1338863	1485	BUSH ST	269.00		32.28	301.28
10/11/12	78962	3575/104	1322675	272	CAPP ST	269.00		32.28	301.28
2/7/13	85239	1159/016A	1144549	812	CENTRAL AVE		400.00	48.00	448.00
4/23/12	70205	4327A/007	1263192	2200	CESAR CHAVEZ ST	263.00		31.56	294.56
10/11/12	78961	3537/007	1322679	124	CHURCH ST	269.00		32.28	301.28
10/16/12	79182	3537/005	1322903	118	CHURCH ST	269.00		32.28	301.28
4/6/12	68221	1423/021	1251832	934	CLEMENT ST	263.00		31.56	294.56
5/4/12	70813	3729/038	1265803	723	CLEMENTINA ST	263.00		31.56	294.56
9/19/12	77907	1247/017	1290130	630	COLE ST	269.00		32.28	301.28
7/12/12	74223	7226/005	1286312	166	EUCALYPTUS DR	269.00		32.28	301.28
9/17/12	77729	0820/003	1292861	612	FELL ST	269.00		32.28	301.28
3/1/12	66055	3729/011	1241205	1228	FOLSOM ST	263.00		31.56	294.56
4/16/12	69816	3640/033	1261931	2715	FOLSOM ST	263.00		31.56	294.56
10/19/12	79471	3729/011	1322532	1228	FOLSOM ST	269.00		32.28	301.28
11/20/12	81221	3522/070	1337334	1615	FOLSOM ST	269.00		32.28	301.28
11/29/12	81689	3640/033	1339257	2713	FOLSOM ST	269.00		32.28	301.28
12/5/12	82027	3776/077	1339883	41	FREELON ST	269.00		32.28	301.28
3/7/12	66430	1084/003	1246936	3565	GEARY BLVD	263.00		31.56	294.56
4/4/12	68116	1443/020	1258358	4724	GEARY BLVD	263.00		31.56	294.56
4/13/12	68541	0318/017	1260694	673	GEARY ST	263.00		31.56	294.56
7/11/12	74160	0318/017	1290364	673	GEARY ST	269.00		32.28	301.28
4/27/12	70420	6405/016	1259602	1155	GENEVA AVE	263.00		31.56	294.56
11/5/12	80380	6408/007	1329043	1045	GENEVA AVE	269.00		32.28	301.28
11/29/12	81703	6413/031	1339042	1162	GENEVA AVE	269.00		32.28	301.28

Report of Cost
Community Preservation and Blight Reduction Act
Special Assessment for 2013-2014 Property Tax Bill

Invoice Date	Invoice #	Block/Lot	Citation #	Street #	Street Name	Inspection Balance	Abatement Balance	12% Administrative Fee	Total Balance
4/16/12	69812	0258/017	1261151	540	GRANT AVE	263.00		31.56	294.56
2/15/12	65271	1240/023	1240270	989	HAIGHT ST	263.00		31.56	294.56
4/12/12	68485	0849/019	1259640	478	HAIGHT ST	263.00		31.56	294.56
9/19/12	77908	1249/017	1314077	1821	HAIGHT ST	269.00		32.28	301.28
4/13/12	68543	3759/001	1259790	1001	HARRISON ST	263.00		31.56	294.56
8/31/2012, 10/18/2012	76889, 79418	3759/001	1307818	1001	HARRISON ST	269.00	3500.00	452.28	4221.28
10/19/12	79467	3612/082	1322673	2412	HARRISON ST	269.00		32.28	301.28
11/27/12	81476	1204/029	1324984	1375	HAYES ST	269.00		32.28	301.28
12/25/12	82947	3755/049	1344927	32	HERON ST	269.00		32.28	301.28
2/7/13	85249	3727/019	1041863	1144	HOWARD ST		1698.00	203.76	1901.76
10/5/12	78745	3510/015	1317881	1452	HOWARD ST	269.00		32.28	301.28
10/19/12	79469	3725/014	1319694	934	HOWARD ST	269.00		32.28	301.28
9/17/12	77732	3994/006	1301865	650	ILLINOIS ST	269.00		32.28	301.28
12/17/12	82548	4106/024	1336506	953	INDIANA ST	269.00		32.28	301.28
11/29/12	81700	1740/018	1335207	900	IRVING ST	269.00		32.28	301.28
2/28/2012, 8/8/2012	65953, 75611	3703/011	1245864	532	JESSIE ST	263.00	308.10	68.53	639.63
3/8/12	66485	0717/002	1248307	731	LARKIN ST	263.00		31.56	294.56
8/15/12	75963	0740/005	1297408	631	LARKIN ST	269.00		32.28	301.28
10/22/12	79572	0334/003	1320718	335	LEAVENWORTH ST	269.00		32.28	301.28
10/4/12	78686, 84612	3973/002B	1317358	2424	MARIPOSA ST	269.00	3914.25	501.99	4685.24
5/21/2012, 10/18/2012	71475, 79416	3505/032A	1270866	1621	MARKET ST	263.00	3355.80	434.26	4053.06
6/22/12	73342	0835/001	1284548	1400	MARKET ST	263.00		31.56	294.56
10/25/12	79827	1208/036	1324983	822	MASONIC AVE	269.00		32.28	301.28
9/20/12	77968	3589/015	1195957	2280	MISSION ST		1519.00	182.28	1701.28
1/24/12	64046	6517/032	1202399	2811	MISSION ST	263.00		31.56	294.56
1/24/12	64048	6347/016	1217363	5087	MISSION ST	263.00		31.56	294.56
2/1/12	64489	3610/028	1224909	2425	MISSION ST	263.00		31.56	294.56
3/12/12	66731	3576/006	1243123	2138	MISSION ST	263.00		31.56	294.56
4/16/2012, 8/8/2012	69821, 75612	6083/027	1257333	4663	MISSION ST	263.00	671.00	112.08	1046.08
4/6/2012, 10/18/2012	68224, 79410	3509/037	1258789	1337	MISSION ST	263.00	641.60	108.55	1013.15
10/18/12	79411	3703/081	1259271	1018	MISSION ST		3500.00	420.00	3920.00
5/9/12	71007	3636/002	1270055	2612	MISSION ST	263.00		31.56	294.56
12/4/12	81938	6272/031	1339038	4811	MISSION ST	269.00		32.28	301.28
4/16/2012, 10/18/2012	69811, 79408	0166/004	1254363	290	PACIFIC AVE	263.00	2720.85	358.06	3341.91
2/7/13	85235	0692/009	1061433	1050	POST ST		950.00	114.00	1064.00
8/30/12	76797	7146/018	1304238	80	REGENT ST	269.00		32.28	301.28
8/28/12	76639	3569/061	1297246	66	RONDEL PL	269.00		32.28	301.28
9/25/12	78158	5880/024	1313857	2360	SAN BRUNO AVE	269.00		32.28	301.28
5/28/12	71887	0753/010	1274880	1002	SCOTT ST	263.00		31.56	294.56
10/16/12	79186	1050/007	1310011	1801	SCOTT ST	269.00		32.28	301.28
3/5/12	66282	6518/006	1243100	1348	SOUTH VAN NESS AVE	263.00		31.56	294.56
5/1/2012, 10/18/2012	70643, 79412	3530/018	1263767	285	SOUTH VAN NESS AVE	263.00	2257.50	302.46	2822.96
9/24/12	78105	3575/013	1316214	666	SOUTH VAN NESS AVE	269.00		32.28	301.28
10/8/12	78824	6518/006	1319815	1348	SOUTH VAN NESS AVE	269.00		32.28	301.28
2/15/12	65270	0707/016	1227597	1550	STEINER ST	263.00		31.56	294.56
10/22/12	79573	0161/022	1326869	1224	STOCKTON ST	269.00		32.28	301.28
3/22/12	67338	3597/009	1240416	870	VALENCIA ST	263.00		31.56	294.56
7/10/12	74088	3532/035	1290324	225	VALENCIA ST	269.00		32.28	301.28
10/8/12	78821	3588/004	1322167	724	VALENCIA ST	269.00		32.28	301.28

Report of Cost
Community Preservation and Blight Reduction Act
Special Assessment for 2013-2014 Property Tax Bill

Invoice Date	Invoice #	Block/Lot	Citation #	Street #	Street Name	Inspection Balance	Abatement Balance	12% Administrative Fee	Total Balance
12/18/12	82624	0550/038	1343231	1504	VALLEJO ST	269.00		32.28	301.28
3/2/12	66165	4812/037	1222073	1250	VAN DYKE AVE	263.00		31.56	294.56
6/29/12	73689	4812/037	1284643	1250	VAN DYKE AVE	263.00		31.56	294.56
6/18/12	72981	0546/002	1275729	2445	VAN NESS AVE	263.00		31.56	294.56
3/16/12	67112	3532/059	1250962	65	WOODWARD ST	263.00		31.56	294.56
						$27,670.00	$26,483.55	$6,498.42	$60,651.97

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130399 **Date Passed:** May 21, 2013

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund.

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130399

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/31/13
Date Approved

GOVERNMENT
DOCUMENTS DEPT

FILE NO. 130467 JUL 29 2013 RESOLUTION NO. 163-13

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[Urging the California State Legislature to Pass Assembly Bill 241]

Resolution urging the California State Legislature and the Governor to pass Assembly Bill 241, the Domestic Worker Bill of Rights, to provide respect, protection, rights, and dignity to domestic workers and to value the work they perform caring for our children, elderly, and our families.

WHEREAS, California's domestic workers—comprised of housekeepers, nannies, and caregivers for children, persons with disabilities, and the elderly—work in private households to care for the health, safety and well-being of the most important aspects of Californians' lives, their families and homes; and

WHEREAS, Domestic workers play a critical role in California's economy, working to ensure the health and prosperity of California families and freeing others to participate in the workforce, which is increasingly necessary in these difficult economic times; and,

WHEREAS, Domestic workers across the state of California have joined together to form the California Domestic Workers' Coalition to achieve social and economic justice and secure much-needed protections for domestic workers under California's labor laws; and,

WHEREAS, The National Domestic Workers Alliance is organizing domestic workers across the United States to end the exclusion of domestic workers from federal labor protections, and the International Domestic Workers Network, made up of domestic worker organizations across the world, has formed to fight exploitation and abuse by creating and advancing international standards in the industry; and,

WHEREAS, The treatment of domestic service workers under federal and state laws has historically reflected stereotypical assumptions about the nature of domestic work, specifically that the relationship between employer and "servant" was "personal," rather than

commercial, in character; that employment within a household was not "real" productive work; and that women did not work to support their families; and,

WHEREAS, The Fair Labor Standards Act of 1938 (29 U.S.C. Sec. 201 et seq.), which Congress enacted to ensure a fair day's pay for a fair day's work, excluded domestic workers from its protection at a time when 60% of African American women workers were employed as domestic workers; and,

WHEREAS, The majority of domestic workers are women of color and are largely and increasingly immigrants who, because of race and sex discrimination and fear of deportation, are particularly vulnerable to unlawful employment practices and abuses; and

WHEREAS, Domestic workers usually work alone, behind closed doors, and out of the public eye, leaving them isolated, vulnerable to abuse and exploitation, and unable to advocate collectively for better working conditions; and,

WHEREAS, Domestic workers often labor under harsh conditions, work long hours for low wages without benefits or job security, and face termination without notice or severance pay, leaving many suddenly without both a job and a home; and,

WHEREAS, Most domestic workers work to support families and children of their own and more than half are primary income earners, yet two-thirds of domestic workers earn low wages or wages below the poverty line; and,

WHEREAS, Many live-in domestic workers are not permitted to make basic decisions regarding the food they eat or to cook or heat their meals; and,

WHEREAS, In the worst cases, domestic workers are verbally and physically abused or sexually assaulted, forced to sleep in conditions unfit for human habitation, and stripped of their privacy and dignity; and,

WHEREAS, Many employers desire to treat their caregivers and housekeepers fairly, but do not have the information to guide them in setting terms of employment, and may never

develop a formal contract or clearly establish the rights and obligations each party owes to the other; and,

WHEREAS, Domestic workers are still excluded from the most basic protections afforded the rest of the labor force under state and federal law, including the rights to fair wages, safe and healthy working conditions, workers' compensation, protection from discriminatory and abusive treatment, and to engage in collective bargaining; and,

WHEREAS, Domestic workers are excluded under the National Labor Relations Act (29 U.S.C. Sec. 151 et seq.), leaving them unprotected when asking for respect of their basic rights and unable to collectively bargain for conditions allowing them to labor in dignity; and,

WHEREAS, Domestic workers whose primary work is to care for children, the elderly, or persons with disabilities are excluded from overtime protections, meal and rest breaks, and reporting time pay under California law, and the federal Fair Labor Standards Act exempts live-in domestic workers from overtime provisions and exempts "companions" for the elderly and the infirm, and "casual" babysitters, from federal minimum wage and overtime provisions; and,

WHEREAS, Domestic workers are excluded from the protections of the California Occupational Safety and Health Act of 1973 and therefore do not have the right to work in a healthy and safe environment, leaving them unprotected from dangerous and unhealthy working conditions on a regular basis; and,

WHEREAS, State and federal antidiscrimination laws apply only to employers with certain minimum numbers of employees, and domestic workers are often unprotected against discrimination based on race, color, religion, sex, national origin, age, and disability; and,

WHEREAS, Domestic workers do not have the right to a minimum number of consecutive hours of uninterrupted sleep, they are often woken up repeatedly throughout the

night, leaving them sleep deprived, vulnerable to illness, and unable to provide proper care for those in their charge; and,

WHEREAS, The vast majority of domestic workers receive no health benefits from their employers and have no right to paid sick days, many workers cannot take time off to deal with illness or medical emergencies, thereby endangering their own health and the health of the families they care for; and,

WHEREAS, In 2012 Assemblyman Tom Ammiano introduced AB 889 "Domestic Worker Bill of Rights", which would have provided domestic workers with equal overtime pay, equal right to a safe and healthy workplace, equal right to worker's compensation, equal right to notice before termination, equal right to five hours of uninterrupted sleep under adequate conditions, rights to annual cost of living wage increase, and rights to paid vacations and sick days; and

WHEREAS, Despite being supported by 45 Asseblymembers and 21 Senators as well as having 128 endorsers, including the California Nurses Association and the California Labor Federation, AB 889 was vetoed by Governor Jerry Brown; and

WHEREAS, Assemblyman Ammiano has reintroduced the "Domestic Worker Bill of Rights," AB 241, and

WHEREAS, AB 241 has been endorsed by such groups as POWER, California NOW, California Nurses Association/National Nurses Organizing Committee, United Educators of SF, San Francisco Labor Council and California Immigrant Policy Center, Gray Panthers of San Francisco, San Francisco Labor Council, Young Workers United, Unite Here Local 2, Coleman Advocates, Filipino Community Center, Chinese Progressive Association, and Interfaith Council on Economics and Justice; now, therefore, be it

RESOLVED, By the Board of Supervisors of the City and County of San Francisco that coverage of domestic workers under state and federal labor law should be an expression of

respect for their dignity and equality and the importance of the work they perform, and a rejection of antiquated and long-discredited stereotypes about domestic work; and be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the California legislature and the Governor of California to pass the "Domestic Worker Bill of Rights" supported by the California Domestic Workers' Coalition; and be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors directs the clerk to distribute this Resolution to all of San Francisco's state legislators urging them to endorse this Resolution.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130467 **Date Passed:** May 21, 2013

Resolution urging the California State Legislature and the Governor to pass Assembly Bill 241, the Domestic Worker Bill of Rights, to provide respect, protection, rights, and dignity to domestic workers and to value the work they perform caring for our children, elderly, and our families.

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130467

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

May 31, 2013
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

DOCUMENTS DEPT
JUL 29 2013
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FILE NO. 130472 RESOLUTION NO. 164-13

[Public Works Week - May 18-25, 2013]

Resolution commending the men and women of the Department of Public Works and declaring May 18-25, 2013, as Public Works Week in the City and County of San Francisco.

WHEREAS, It is the mission of the San Francisco Department of Public Works (DPW) to improve the quality of life in San Francisco through partnering with the community and providing outstanding public service; and where its programs and services, provided 24 hours a day, seven days per week, are an integral part of the everyday lives of our residents, workforce and visitors; and

WHEREAS, During the past year, the Department of Public Works produced significant achievements, including completing the new PUC headquarters, Bayview Branch Library, Pier 27 project, Sunset and Betty Ann Ong recreation centers, Fulton and Mission playgrounds, 19th Avenue median planting, and Moscone Center capital improvements; breaking ground on the new North Beach Branch Library and Jefferson, Cesar Chavez and Folsom streetscapes and; kicking off the $248 million three-year Road Repaving and Street Safety Program (Streets Bond); expanding DPWStat, a management tool to enhance service delivery efficiency; hosting two national conferences (Zero Graffiti and American Community Gardening Association); and initiating new apprenticeship programs to provide job training and create jobs with a focus on San Francisco residents; and

WHEREAS, The Department of Public Works has spearheaded, with Mayor Lee and the World Champion San Francisco Giants in partnership with members of the Board of Supervisors, Giant Sweep, a citywide anti-litter campaign that brings together local schools, residents, businesses and community groups to create a culture of clean; and

WHEREAS, The Department of Public Works is implementing goals and objectives under its Strategic Plan to achieve its vision to create a world-class public works organization that contributes to making San Francisco a beautiful, livable, vibrant, and sustainable city; and

WHEREAS, The Department of Public Works is dedicated to community outreach and has provided thousands of volunteers with meaningful neighborhood improvement work in the past year through DPW's signature volunteer event Community Clean Team; and

WHEREAS, National Public Works Week is a time when DPW shows the public what "public works" means by celebrating accomplishments and milestones and holding activities that reinforce partnerships with San Francisco residents, community organizations, and volunteers, such as project tours, equipment demonstrations, open houses and neighborhood cleaning and greening events; and

WHEREAS, During Public Works Week, DPW honors the professional and committed women and men who make daily contributions in public works-related efforts that include designing, operating and improving the City's infrastructure; graffiti removal, tree planting and maintenance; neighborhood beautification and volunteer clean-ups; street and sewer repair; architecture and engineering services; and street use and mapping services; collectively known as public works; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby proclaims May 18th through May 25th, 2013 as Public Works Week in San Francisco and commends the men and women of the Department of Public Works and the people they serve; and be it

FURTHER RESOLVED, That the Board of Supervisors urges San Francisco residents, neighborhood associations, community nonprofits and merchant organizations to continue to work in collaboration with the Department of Public Works to enhance the quality of life in San Francisco.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130472 **Date Passed:** May 21, 2013

Resolution commending the men and women of the Department of Public Works and declaring May 18-25, 2013, as Public Works Week in the City and County of San Francisco.

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130472

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

May 31, 2013
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

DOCUMENTS DEPT

FILE NO. 130419 JUL 29 2013 RESOLUTION NO. 165-13

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[Resolution of Intention - Community Benefit District - Top of Broadway]

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Top of Broadway Community Benefit District" and levy a multi-year assessment on identified parcels in the district; approving the Management District Plan, Engineer's Report, and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballots; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

WHEREAS, The Property and Business Improvement District Law of 1994 (California Streets and Highways Code Sections 36600 *et seq.*, "1994 Act" or the "Act"), authorizes cities to establish property and business improvement districts within business districts to promote the economic revitalization and physical maintenance of such business districts; and

WHEREAS, Section 36603 of the 1994 Act recognizes the authority of Charter cities to adopt ordinances providing for different methods of levying assessments for similar or additional purposes from those set forth in the 1994 Act; and

WHEREAS, Article 15 of the San Francisco Business and Tax Regulation Code ("Article 15") augments certain procedural and substantive requirements relating to the formation of property and business improvement districts and the assessments on real property or businesses within such districts; and

WHEREAS, The 1994 Act and Article 15 authorize the City to levy and collect assessments on real property within such districts for the purpose of providing improvements

and promoting activities and property-related services that specially benefit identified parcels of real property located within such districts; and

WHEREAS, Article XIIID of the California Constitution and Section 53753 of the California Government Code impose certain procedural and substantive requirements relating to assessments on real property; and

WHEREAS, The 1994 Act and Article 15 impose additional procedural and substantive requirements relating to assessments on real property within a proposed property and business improvement district, also known as a community benefit district ("CBD"); and

WHEREAS, The Board of Supervisors finds that the property-related services, activities and improvements to be funded with assessments on real property within the proposed district will confer substantial special benefit on the assessed properties over and above the general benefit to the public at large from such services, activities and improvements; and

WHEREAS, The property owners who will pay 30 percent or more of the total amount of assessments on properties within the proposed district signed and submitted to the Clerk of the Board of Supervisors a petition (the "Petition") requesting that the Board of Supervisors establish a property-based community benefit district to be named the "Top of Broadway Community Benefit District," and to levy assessments on properties located in the proposed district to fund property-related services, activities and improvements within the district; and

WHEREAS, A Management District Plan entitled the "Top of Broadway Community Benefit District Management District Plan" containing information about the proposed district and assessments required by Section 36622 of the 1994 Act, including but not limited to maps showing all identified parcels located in the district, a description of the boundaries of the district, the name of the district, the amount of the proposed assessment for each identified parcel, the total annual amount chargeable to the entire district, the duration of the payments, the property-related services, activities and improvements to be funded by the assessments

for each year and the maximum cost thereof, the method and basis upon which the assessments are calculated in sufficient detail to allow each property owner to calculate the amount of the assessment to be levied against his or her property, a statement that no bonds will be issued, the time and manner of collecting the assessments, and a list of the properties to be assessed (including assessor parcel numbers), is on file with the Clerk of the Board of Supervisors in File No. 130419, which is hereby declared to be a part of this resolution as if set forth fully herein; and

WHEREAS, A detailed engineer's report supporting the assessments within the proposed district, prepared by Edward V. Henning, California Registered Professional Engineer No. 26549, titled "Top of Broadway Community Benefit District, District Assessment Engineer's Report," is on file with the Clerk of the Board of Supervisors in File No. 130419, which is hereby declared to be a part of this resolution as if set forth fully herein; and

WHEREAS, A Proposed Boundaries Map, submitted pursuant to California Streets and Highways Code §3110, is on file with the Clerk of the Board of Supervisors in File No. 130419, which is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That the Board of Supervisors declares as follows:

Section 1. Pursuant to Section 36621(a) of the 1994 Act and Article 15, the Board of Supervisors declares its intention to form a property and business improvement district to be designated as the "Top of Broadway Community Benefit District" (the "District") for a period of eight and one half (8 1/2) years, and to levy and collect assessments against all identified parcels of real property in the District for a period of eight (8) years, commencing with fiscal year 2013-2014, subject to approval by a majority of the property owners in the District who cast assessment ballots, which ballots shall be weighted according to the proportional financial obligations of the affected properties. No bonds will be issued. District operations

will commence on or about January 1, 2014, following collection of the assessments for fiscal year 2013-2014 and disbursement of the assessment proceeds to the nonprofit owners' association that will administer the property-related services, activities and improvements in the District pursuant to Section 36651 of the 1994 Act and a written agreement with the City.

Section 2. The Board of Supervisors hereby approves the Management District Plan and District Assessment Engineer's Report, including the estimates of the costs of the property-related services, activities and improvements set forth in the plan, and the assessment of said costs on the properties that will specially benefit from such services, activities and improvements. The Clerk of the Board shall make the Management District Plan, District Assessment Engineer's Report and other documents related to the District and included in the record before the Board of Supervisors available to the public for review during normal business hours, Monday through Friday, 8:00 a.m. through 5:00 p.m., excluding legal holidays.

Section 3. The Board of Supervisors hereby approves the Proposed Boundaries Map showing the exterior boundaries of the District. The proposed District contains approximately 39 identified parcels, located on approximately six whole or partial blocks near the intersection of Columbus Avenue and Broadway Street and the intersection of Montgomery Street and Broadway Street. The District is generally located at: (1) Columbus Avenue from the intersection of Grant Avenue and Fresno Street running along the east side only of Columbus Avenue down to Pacific Avenue; (2) Kearny Street on both sides of the street from Broadway Street to Pacific Avenue; and (3) Broadway Street, from the northeastern corner of the intersection of Columbus Avenue and Broadway Street running eastward on the north side of the street up to west side of Montgomery Street and then from the southeastern corner of the intersection of Columbus Avenue and Broadway Street on the south side running eastward on the south side up to Montgomery Street, but also including the property at the southeastern

corner of the intersection of Montgomery Street and Broadway Street.

Reference should be made to the detailed maps and the lists of parcels identified by Assessor Parcel Number that are contained in the Management District Plan, in order to determine which specific parcels are included in the Top of Broadway Community Benefit District.

Section 4. A public hearing on the establishment of the District, and the levy and collection of assessments starting with fiscal year 2013-2014 and continuing through fiscal year 2020-2021, shall be conducted before the Board of Supervisors, sitting as a Committee of the Whole, on July 23, 2013, at 3:00 p.m., or as soon thereafter as the matter may be heard in the Board's Legislative Chambers, Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102. At this public hearing, the Board of Supervisors will hear public testimony regarding the proposed formation of the District, assessments, boundaries of the District, including testimony from all interested persons for or against establishment of the District, the extent of the District, the levy of the assessments, the furnishing of specific types of property-related services, improvements and activities, and other matters related to the District. The Board of Supervisors may waive any irregularity in the form or content of any written protest, and at the public hearing may correct minor defects in the proceedings. All protests submitted by affected property owners and received prior to the conclusion of the public testimony portion of the public hearing shall be tabulated to determine whether a majority protest exists.

Section 5. The Board of Supervisors hereby approves the form of the Notice of Public Hearing and Assessment Ballot which are on file with the Clerk of the Board of Supervisors in File No. 130419; which are declared to be a part of this resolution as if set forth fully herein.

Section 6. The proposed property-related services, improvements or activities for the District include District Identity, Sidewalk Operations, Beautification and Order, and

Administration, Organization, and Corporate Operations:

District Identity: District Identity includes, but is not limited to, use of a public relations firm to promote the business and activities in the District, development of a website, having special events for the District, preparation of signage, historical markers, banners and decorations, and other programs or activities to be determined by the nonprofit owners' association that will administer the property-related services, activities, and improvements for the District.

Sidewalk Operations, Beautification and Order: Sidewalk Operations, Beautification and Order includes, but is not limited to, cleaning sidewalks and gutters, graffiti removal, trimming trees, periodic steam cleaning, and cleaning tree wells.

Administration, Organization, and Corporate Operations: Administration, Organization, and Corporate Operations includes, but is not limited to, staffing to oversee and support the property-related services, activities and improvements for the District, acquiring office-related services and supplies, such as accounting, legal services and office supplies, acquiring insurance for the District, managing contractual relations with the City and others, financial reporting, and advocacy for the District.

Section 7. Within the area encompassed by the proposed District, the City currently provides services at the same level provided to other similar areas of the City. It is the intent of the Board of Supervisors to continue to provide the area encompassed by the District with the same level of services provided to these other similar areas of the City. The establishment of the District will not affect the City's policy to continue to provide the same level of service to the areas encompassed by the District as it provides to other similar areas of the City during the duration of the District.

Section 8. The annual total assessments proposed to be levied and collected for the first year of the District (fiscal year 2013-2014) is estimated to be $105,502. The amount of

the total annual assessments to be levied and collected for years two through eight (fiscal years 2014-2015 through 2020-2021) may be increased from one year to the next by a percentage that does not exceed either the change in the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose Consolidated Metropolitan Statistical Area, or three percent (3%), whichever is less.

Section 9. Environmental Findings. Following the approval of this Resolution, the Planning Department shall determine whether the actions contemplated in this Resolution are in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 *et seq.*), and respond in writing to the Clerk of the Board of Supervisors.

Section 10. The Clerk of the Board is directed to give notice of the public hearing as provided in California Streets and Highways Code Section 36623, California Government Code Section 53753, California Constitution Article XIIID Section 4, San Francisco Charter Section 16.112, and San Francisco Administrative Code Section 67.7-1.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130419 **Date Passed:** June 04, 2013

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Top of Broadway Community Benefit District" and levy a multi-year assessment on identified parcels in the district; approving the Management District Plan, Engineer's Report, and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballots; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

May 23, 2013 Government Audit and Oversight Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130419

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

Mayor

6/5/13

Date Approved

DOCUMENTS DEPT

FILE NO. 130428 JUL 29 2013 RESOLUTION NO. 166-13

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[Accept and Expend Grant - California Cultural and Historical Endowment Grant for Pier 70 Union Iron Works Stabilization Project - $250,000]

Resolution authorizing the Port to accept and expend a grant in the amount of $250,000 from the California Cultural and Historical Endowment Under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the Pier 70 Union Iron Works Machine Shop Stabilization Project for the period of June 15, 2013, through December 31, 2014.

WHEREAS, The former Union Iron Works/Bethlehem Steel Machine Shop is a rare surviving industrial structure that is historically significant on the local, state and national levels. The building is both a contributing resource to a Pier 70 Historic District and individually eligible for listing in the National Register of Historic Places; and

WHEREAS, The Port is prepared to advertise and seek competitive bids for the Pier 70 Union Ironwork's Machine Shop Stabilization Project that will shore the existing roof trusses and create a secondary lateral and vertical support system for the mezzanine; and

WHEREAS, The people of the State of California have enacted the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, which provides funds to the State of California for the California Cultural and Historical Endowment (CCHE) Grant Program; and

WHEREAS, The Port has been awarded a Round IV capital grant for the Pier 70 effort under the CCHE Grant Program for the stabilization of the Union Ironworks Building ("the Project"); and

WHEREAS, The Grant Agreement requires the Grantee to certify by resolution the approval of the Grant Agreement and its terms before execution of the Agreement; and

WHEREAS, Upon execution of this Agreement and approval of its terms and conditions, Grantee will perform all of the tasks stated in the Agreement; and

WHEREAS, The Port will enter into a Grant Agreement with CCHE for the Project, provide 60% matching funds and indemnify CCHE; and

WHEREAS, On January 12, 2010, through Resolution 10-05, the Port Commission authorized Port staff to apply for, accept and expend a grant in the amount of $500,000 for the Union Ironworks Stabilization; and

WHEREAS, On May 24, 2011, through Resolution 11-32, the Port Commission authorized Port staff to advertise for competitive bids for the project; and

WHEREAS, On January 30, 2013, following three years of this Project being on the waiting-list for funds, CCHE approved the Port's grant application and awarded the Port Commission $250,000 for the Project; and

WHEREAS, The required matching funds of $150,000 were expended by the Port for project design utilizing its annual operating budget; and

WHEREAS, This grant does not create any new positions, and will not require an amendment to the Annual Salary Ordinance; and

WHEREAS, The grant application did not include indirect costs in the limited grant budget to allow for the maximum benefit to the project; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the San Francisco Port Commission to accept and expend $250,000 in grant funding from the California Cultural and Historical Endowment for the Union Iron Works Machine Shop Stabilization Project; and, be it

FURTHER RESOLVED, That the Board of Supervisors (1) Approves the terms and conditions of the Grant Agreement to be funded from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal; Protection Act of 2002, and (2) certifies that the Port of San Francisco has reviewed, understands and agrees to the General Provisions of the CCHE Grant Application and Grant Agreement including indemnification and 3) Certifies

that the Port of San Francisco has or will have sufficient funds to operate and maintain the project, and where applicable, to complete the Project; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs as a part of this grant; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Executive Director of the Port or her designee to conduct all negotiations, execute and submit any documents (including, but not limited to, Scope of Work, CCHE Invoices, CCHE Progress Reports, CCHE Final Reports, and other documentation which may be necessary for the completion of the Project and including any amendments, augmentations or extensions thereto and indemnify the State of California from any claims or liabilities associated with the activities funded through this grant to the extent approved by the City's Risk Manager and the City Attorney's Office.

Recommended:

Monique Moyer

Department Head

Approved: _____

Mayor

Approved: _____

Controller

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130428 **Date Passed:** June 04, 2013

Resolution authorizing the Port to accept and expend a grant in the amount of $250,000 from the California Cultural and Historical Endowment Under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the Pier 70 Union Iron Works Machine Shop Stabilization Project for the period of June 15, 2013, through December 31, 2014.

May 29, 2013 Budget and Finance Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130428

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

Mayor

6/5/13
Date Approved

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FILE NO. 130470 JUL 29 2013 RESOLUTION NO. 167-13

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[Resolution of Intention - Renew and Expand the Central Market Community Benefit District]

Resolution declaring the intention of the Board of Supervisors to renew and expand the property-based business improvement district (community benefit district) known as the "Central Market Community Benefit District" and levy a multi-year assessment on all parcels in the district; approving the management district plan and engineer's report and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

WHEREAS, The Property and Business Improvement District Law of 1994 (California Streets and Highways Code Sections 36600 *et seq.*, "1994 Act"), authorizes cities to establish property and business improvement districts within business districts to promote the economic revitalization and physical maintenance of such business districts; and

WHEREAS, Section 36603 of the 1994 Act recognizes the authority of Charter cities to adopt ordinances providing for different methods of levying assessments for similar or additional purposes from those set forth in the 1994 Act; and

WHEREAS, Article 15 of the San Francisco Business and Tax Regulations Code ("Article 15") augments certain procedural and substantive requirements relating to the formation of property and business improvement districts and the assessments on real property or businesses within such districts; and

WHEREAS, The 1994 Act and Article 15 authorize the City to levy and collect assessments on real property within such districts for the purpose of providing improvements

and promoting activities and property-related services that specially benefit parcels of real property located within such districts; and

WHEREAS, Article XIIID of the California Constitution and Section 53753 of the California Government Code impose certain procedural and substantive requirements relating to assessments on real property; and

WHEREAS, The 1994 Act and Article 15 impose additional procedural and substantive requirements relating to assessments on real property within a proposed property and business improvement district, also known as a community benefit district ("CBD"); and

WHEREAS, The Board of Supervisors finds that the property-related services, activities and improvements to be funded with assessments on real property within the proposed district will confer special benefits on the assessed properties over and above the general benefit to the public at large from such services, activities and improvements; and

WHEREAS, The property owners who will pay 30 percent or more of the total amount of assessments on properties within the proposed district signed and submitted to the Clerk of the Board of Supervisors a petition ("Petition") requesting that the Board of Supervisors renew and expand the property-based community benefit district known as the "Central Market Community Benefit District," and levy assessments on properties located in the proposed district to fund property-related services, activities and improvements within the district; and

WHEREAS, A Management District Plan entitled "Central Market CBD Management Plan" ("Management District Plan") containing information about the proposed district and assessments required by Section 36622 of the 1994 Act, including but not limited to a map showing all parcels located in the district, a description of the boundaries of the district, the name of the district, the amount of the proposed assessment for each parcel, the total annual amount chargeable to the entire district, the duration of the payments, the property-related services, activities and improvements to be funded by the assessments for each year and the

maximum cost thereof, the method and basis upon which the assessments are calculated in sufficient detail to allow each property owner to calculate the amount of the assessment to be levied against his or her property, a statement that no bonds will be issued, the time and manner of collecting the assessments, and a list of the properties to be assessed (including assessor parcel numbers), is on file with the Clerk of the Board of Supervisors in File No. 130470, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, A detailed engineer's report supporting the assessments within the proposed district, prepared by Brian K. Thomas, California Registered Professional Engineer No. 60907, entitled "Central Market Community Benefit District Engineer's Report" ("Engineer's Report") is on file with the Clerk of the Board of Supervisors in File No. 130470, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, A Proposed Boundaries Map, submitted pursuant to California Streets and Highways Code Section 3110, is on file with the Clerk of the Board of Supervisors in File No. 130470, which is hereby declared to be a part of this Resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That the Board of Supervisors declares as follows:

Section 1. Pursuant to Section 36621(a) of the 1994 Act and Article 15, the Board of Supervisors declares its intention to renew and expand the property and business improvement district known as the "Central Market Community Benefit District" ("District") for a period of fifteen and one half (15 1/2) years, and to levy and collect assessments against all parcels of real property in the District for fifteen (15) of those years, commencing with fiscal year 2013-2014, subject to approval by a majority of the property owners in the District who cast assessment ballots, which ballots shall be weighted according to the proportional financial obligations of the affected properties. No bonds will be issued. District operations are expected to commence on or about January 1, 2014, following collection of the

assessments for fiscal year 2013-2014 and disbursement of the assessment proceeds to the nonprofit owners' association that will administer the property-related services, activities and improvements in the District pursuant to Section 36651 of the 1994 Act and a written agreement with the City.

Section 2. The Board of Supervisors hereby approves the Management District Plan and Engineer's Report, including the estimates of the costs of the property-related services, activities and improvements set forth in the plan, and the assessment of said costs on the properties that will specially benefit from such services, activities and improvements, on file with the Clerk of the Board of Supervisors in File No. 130470, which are hereby declared to be a part of this Resolution as if set forth fully herein. The Clerk of the Board shall make the Management District Plan, Engineer's Report and other documents related to the District and included in the record before the Board of Supervisors available to the public for review during normal business hours, Monday through Friday 8:00 a.m. through 5:00 p.m., excluding legal holidays.

Section 3. The Board of Supervisors hereby approves the Proposed Boundaries Map showing the boundaries of the District. The proposed expanded District contains approximately 806 identified parcels located on approximately 42 whole or partial blocks.

Specifically, current exterior District boundaries are:

- 5th St. from Market St. to Mission St. (West Side only)
- 6th St. from Market St. to Jessie St. (East and West Sides)
- 7th St. from Market St. to Stevenson St; (East and West Sides)
- 8th St. on the east side of the street from Market St. to approximately 185 feet from the southeast corner of Market St. and 8th St. - in which the lot line is drawn to a point equidistant with the balance of the depth of the parcels on that block between 7th St. and 8th St. (as if there was a continuation of Stevenson St. to 8th St.); also on the west side of 8th St. running southward from the southwest corner of 8th St. and Market St., including Parcels No. 3701-050, 3701-059, 3701-005, 3701-060, but *not including* Parcel No. 3701-053 at the corner of 8th St. and Mission St. (owned by PG&E)

- 9th St. just including the parcel at the southeast corner of the Market St. and 9th St. intersection
- Market St. from 5th St. to 9th St. (South Side)
- Market St., from Cyril Magnin St. to Mason St. and then from Hyde St. to Larkin St. (North Side)
- Mason St. from Eddy St. to Market St. (East Side)
- Eddy St. from Parcel No. 0341-18 to Mason St. (South Side)
- Mission St. from 5th St. running west (North Side only) including the Old Mint and four parcels (3704-012, 3704-013, 3704-015, 3704-017) directly west of Mint St.
- Jessie St. from 5th St. to 6th St. (North Side only), and Jessie St. running west from 6th St. including 6 parcels (3703-006, 3703-007, 3703-010, 3703-011, 3703-012, 3703-086) to the west of 6th St. (North Side only)
- Mint St. from Jessie St. to Mission St. (East and West Sides)
- Mint Plaza from 5th St. to Mint St. (North and South Sides)

Specifically, the proposed exterior boundaries of the expanded district are:

- 5th St. from Market St. to Mission St. (West Side only)
- 6th St. from Market St. to Folsom St. (East and West Sides)
- 7th St. from Market St. to Stevenson St. (East and West Sides)
- 8th St. from Market St. to Mission St. (East and West Sides)
- Laskie St. from Parcel No. 3701-60 and Parcel No. 3701-66 to Mission St. (East and West Sides)
- 9th St. from Market St. to Mission St. (East Side) and from Jessie St. to Mission St. (West Side)
- 10th St. from Stevenson St. to Mission St (East Side) and from Jessie St. to Mission St. (West Side)
- Market St. from 5th St. to 9th St. (South Side)
- Market St. from Cyril Magnin St. to Mason St. (North Side)
- Mason St. from Eddy St. to Market St. (East Side)
- Eddy St. from Parcel No. 0341-18 to Mason St. (South Side)
- Market St. from Hyde St. to Larkin St. (North Side)
- Grove St. from Hyde St. to Larkin St. (South Side)

- Stevenson St. from Parcel No. 3703-085 to Fifth St. (South Side), and from Parcel No. 3702-054 to Fifth St. (North Side)
- Jessie St. From Parcel No. 3703-086 (North Side) to Mint St.
- Jessie St. from Parcel No. 3703-080 (South Side) to Mint St.
- Mint St. from Jessie St. to Mission St. (East and West Sides)
- Mint Plaza from 5th St. to Mint St. (North and South Sides)
- Mission St. from 5th St. to South Van Ness Ave. (North Side), excluding parcels owned by the federal government in the area of 7th St. and Mission St. (parcel numbers listed below), and excluding Parcel No. 3507-040 which is located to the west next to Parcel No. 3507-042 (within the adjacent Civic Center CBD boundaries)
- Mission St. starting from Parcel No. 3725-088 to Lafayette St. (South Side)
- Minna St. starting from Parcel No. 3725-075 to Sixth St. (South Side)
- Natoma St. starting from Parcel No. 3725-048 and Parcels No. 3725-033 and 3725-035 to Sixth St. (North and South Sides)
- Howard St. starting from Parcel No. 3725-014 and Parcel No. 3732-146 to Sixth St. (North and South Sides)
- Tehama St. starting from Parcel No.3732-099 and Parcel No. 3732-097 to Sixth St. (North and South Sides)
- Clementina St. starting from Parcel No. 3732-062 and Parcel No. 3732-048 to Sixth St. (North and South Sides)

Parcel No. 3507-040 is excluded from this District (within the adjacent Civic Center CBD boundaries, on Mission St. near 11th St., next to Parcel No. 3507-042). Parcels owned by the federal government are also excluded from the District (near 7th St. and Mission St., the Federal Building and United States Court of Appeals): Parcels No. 3702-015, 3702-016, 3702-029, 3702-031, 3702-032, 3702-033, 3702-034, 3702-035, 3702-036, 3702-055, 3703-040, 3703-041, and 3703-084.

Reference should be made to the detailed maps and the lists of parcels identified by Assessor Parcel Number that are contained in the Management District Plan, in order to determine which specific parcels are included in the Central Market Community Benefit District.

Section 4. A public hearing on the renewal and expansion of the District, and the levy and collection of assessments starting with fiscal year 2013-2014 and continuing through fiscal year 2027-2028, shall be conducted before the Board of Supervisors sitting as a Committee of the Whole on July 23, 2013 at 3:00 p.m., or as soon thereafter as the matter may be heard in the Board's Legislative Chambers, Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102. At this public hearing, the Board of Supervisors will hear public testimony regarding the proposed renewal and expansion of the District, assessments, and boundaries of the District, including testimony from all interested persons for or against renewal and expansion of the District, the extent of the District, the levy of the assessments, the furnishing of specific types of property-related services, improvements and activities, and other matters related to the District. The Board of Supervisors may waive any irregularity in the form or content of any written protest, and at the public hearing may correct minor defects in the proceedings. All protests submitted by affected property owners and received prior to the conclusion of the public testimony portion of the public hearing shall be tabulated to determine whether a majority protest exists.

Section 5. The Board of Supervisors hereby approves the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot, which are on file with the Clerk of the Board of Supervisors in File No. 130470; which are hereby declared to be a part of this Resolution as if set forth fully herein.

Section 6. The proposed property-related services, improvements and activities for the renewed and expanded District include Public Safety/Community Guides, Cleaning and Maintenance, Economic Development, and Management.

Public Safety/Community Guides: Community Guides functions are oriented towards crime prevention and providing information, and include but are not limited to

monitoring street conditions, social service outreach, pedestrian directions and information, and merchant outreach. Other resources are drawn on as needed.

Cleaning and Maintenance: Cleaning and Maintenance includes but is not limited to garbage and graffiti removal, weeding, sweeping, and quarterly steam cleaning in the public right-of-way.

Economic Development: Economic Development includes but is not limited to district marketing, retail attraction, retention and expansion, and technical support.

Management: Management includes but is not limited to handling of day-to-day operations, advocacy, grant writing, financials, and all administrative tasks.

Section 7. Within the area encompassed by the proposed renewed and expanded District, the City currently provides services at the same level provided to other similar areas of the City. It is the intent of the Board of Supervisors to continue to provide the area encompassed by the District with the same level of services provided to other similar areas of the City; renewal and expansion of the District will not affect the City's policy to continue to provide the same level of service to the areas encompassed by the District as it provides to other similar areas of the City during the term of the District.

Section 8. The annual total assessments proposed to be levied and collected for the first year of the District (fiscal year 2013-2014) is estimated to be $1,180,337.63. The amount of the total annual assessments to be levied and collected for years two through fifteen (fiscal years 2014-2015 through 2027-2028) may be increased from one year to the next by a percentage that does not exceed either the change in the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose Consolidated Metropolitan Statistical Area, or three percent (3%), whichever is less.

Section 9. Environmental Findings. Following the approval of this Resolution, the Planning Department shall determine whether the actions contemplated in this Resolution are in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 *et seq.*), and respond in writing to the Clerk of the Board of Supervisors prior to the Board's public hearing on the renewal and expansion of the District on July 23, 2013 at 3:00 p.m.

Section 10. The Clerk of the Board is directed to give notice of the public hearing as provided in California Streets and Highways Code Section 36623, California Government Code Section 53753, California Constitution Article XIIID Section 4, San Francisco Charter Section 16.112, and San Francisco Administrative Code Section 67.7-1.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130470 **Date Passed:** June 04, 2013

Resolution declaring the intention of the Board of Supervisors to renew and expand the property-based business improvement district (community benefit district) to be known as the "Central Market Community Benefit District" and levy a multi-year assessment on all parcels in the district; approving the Management District Plan, Engineer's Report, and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

May 23, 2013 Government Audit and Oversight Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130470

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

Mayor

6/5/13
Date Approved

PREPARED IN COMMITTEE
5/16/13

FILE NO. 130245 RESOLUTION NO. 168-13

[Liquor License Transfer - 522 Sutter Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 539 Sutter Street to 522 Sutter Street (District 3), to Naser J. Zakout for the Theatre Too Café, will serve the public convenience or necessity of the City and County and San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Naser J. Zakout is seeking the transfer of a Type 21 off-sale general license from 539 Sutter Street to 522 Sutter Street for the Theatre Too Café; and,

WHEREAS, The Planning Department has verified that the area is properly zoned and recommends approval; and,

WHEREAS, The Police Department has filed one (1) protest and zero (0) letters of support with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control issue the liquor license; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) No noise shall be audible beyond the area under the control of the licensee(s) as defined on the ABC-257 dated 10/30/12; 2) The sale of distilled spirits in sizes smaller than 200 ml is strictly prohibited; 3) No malt beverages shall be sold with an alcoholic content greater than 5.7% by volume; and 4) Loitering (defined as "to stand idly about' linger aimlessly without lawful business") is prohibited on or around

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these premises or this area under the control of the licensee(s) as depicted on the ABC-257 dated 10/30/12; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines for the foregoing reasons that the transfer of a Type 21 off-sale general license from 539 Sutter Street to 522 Sutter Street, to Naser J. Zakout for the Theatre Too Café, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses and adopts the recommendations of the Police Department listed above, and recommends that the Department of Alcoholic Beverage Control issue the license.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130245 **Date Passed:** June 04, 2013

Resolution determining that the transfer of a Type 21 off-sale general license from 539 Sutter Street to 522 Sutter Street (District 3), to Naser J. Zakout for the Theatre Too Café, will serve the public convenience or necessity of the City and County and San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

May 16, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

May 16, 2013 Neighborhood Services and Safety Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130245

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/10/13
Date Approved

AMENDED I. COMMITTEE
6/5/13

FILE NO. 130500 RESOLUTION NO. 169-13

[Emergency Contract - Water and Sewer Pipelines - Vicinity of 15th Avenue and Wawona Street - Not to Exceed $1,450,000]

Resolution approving an emergency public work contract for the Public Utilities Commission under Administrative Code, Section 6.60, to replace the water and sewer pipelines in the vicinity of 15th Avenue and Wawona Street with a contract amount not to exceed $1,450,000.

WHEREAS, On February 27, 2013, a water main break took place near the intersection of 15th Avenue and Wawona Street, inundating the area with large water and mud flows, impacting the street and nearby homes, and causing erosion and softening of soil that resulted in cavities and depressions under the street and homes; and

WHEREAS, If the broken water main was not repaired and additional aging sewer lines along the same corridor replaced and expeditiously returned to service, the depressions and cavities could cause another pipeline rupture in either the water main system or the sewer system, which would endanger the public's health and welfare; and

WHEREAS, San Francisco Administrative Code, Chapter 6, Article IV, section 6.60, authorizes department heads responsible for public work to award an emergency contract, exempt from the competitive bidding process, in the event of an actual emergency which is defined to include, " … The breakdown or imminent breakdown of any plant, equipment, structure, street or public work necessitating immediate emergency repair or reconditioning to safeguard the lives or property of the citizens, or the property of the City and County, or to maintain the public health and welfare …"; and

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WHEREAS, On March15, 2013, the SFPUC General Manager declared an emergency, approved by the President of the San Francisco Public Utilities Commission, to repair and replace the water and sewer pipelines along the same corridor on Wawona Street, between 15th and 16th Avenues and thereby protect public health and safety; and

WHEREAS, Administrative Code Section 6.60(D) requires that the General Manager immediately notify the Controller, and seek Board of Supervisors approval of emergency public works with an estimated cost in excess of $250,000; and

WHEREAS, The SFPUC General Manager estimates that the emergency work to repair the broken water main and replace additional aging sewer lines along the corridor on Wawona Street, between 15th and 16th Avenues will cost approximately $1,450,000; and

WHEREAS, The Controller has certified that funds are available for this emergency work and contract; now, therefore, be it

RESOLVED, That the Board of Supervisors approves the emergency work under Administrative Code Section 6.60, for repair of the broken water main and replacement of additional aging sewer lines along the corridor on Wawona Street, between 15th and 16th Avenues with a contract amount not to exceed $1,450,000; and, be it

FURTHER RESOLVED, That actions taken to date by the San Francisco Public Utilities Commission to secure such emergency contracts and resolve the emergency condition are hereby ratified, and, be it

FURTHER RESOLVED, That within thirty (30) days of the contract being fully executed by all parties, the General Manager of the San Francisco Public Utilities Commission shall provide the final contract to the Clerk of the Board for inclusion into the official file (File No. 130500).

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RECOMMENDED:

Harlan L. Kelly, Jr.
General Manager
San Francisco Public Utilities Commission

FUNDS AVAILABLE:

Ben Rosenfield, Controller

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130500 **Date Passed:** June 11, 2013

Resolution approving an emergency public work contract for the Public Utilities Commission under Administrative Code, Section 6.60, to replace the water and sewer pipelines in the vicinity of 15th Avenue and Wawona Street with a contract amount not to exceed $1,450,000.

June 05, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130500

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/12/13
Date Approved

FILE NO. 130359 RESOLUTION NO. 170-13

[Sale of Easement - Public Utilities Commission to Pacific Gas & Electric Company - Watershed Lands Near Edgewood Road, Unincorporated San Mateo County - $2,200]

Resolution approving and authorizing the sale of an easement on the City and County of San Francisco's property, consisting of approximately 7,800 square feet of watershed lands in unincorporated San Mateo County, near Edgewood Road, by the Public Utilities Commission, for the price of $2,200; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan and the priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

WHEREAS, The mission of the San Francisco Public Utilities Commission (SFPUC) is to provide SFPUC customers with high quality, efficient and reliable water, power and sewer services, while sustaining our precious resources; and

WHEREAS, The SFPUC owns and operates dams and reservoirs on the San Francisco Peninsula (the Peninsula Watershed) to fulfill this mission; and,

WHEREAS, The Pacific Gas and Electric Company (PG&E), the supplier of gas and electric utilities to most of Northern California, has multiple easements within the Peninsula Watershed lands for natural gas transmission pipelines; and

WHEREAS, Pursuant to certain California Public Utilities Commission mandates, PG&E is required to upgrade the operational and seismic safety of its pipeline infrastructure by this summer; and

WHEREAS, To complete the safety upgrades, PG&E is required to install automated valves, remote-monitoring equipment, and in-line inspection technologies on its existing gas

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lines, and PG&E requires additional space to install this equipment near Edgewood Road in a secured and fenced valve lot (Edgewood Valve Lot or Easement Area); and

WHEREAS, Pursuant to Charter Section 8B.121(a), the SFPUC has exclusive charge of the real property assets under its jurisdiction; and

WHEREAS, The SFPUC recommends selling PG&E the Easement for the Edgewood Valve Lot, because SFPUC has found the Easement Area to be surplus to SFPUC's utilities needs and because enhanced natural gas pipeline safety within the Peninsula Watershed is important to protecting SFPUC's watershed and water system; and

WHEREAS, A third party appraiser assessed the Easement as having a fair market value of $2,200 in January of 2013 (Appraisal), and the City's Director of Property reviewed and approved the Appraisal; and

WHEREAS, PG&E has agreed to update the language of its existing pipeline easement at this location to grant the SFPUC indemnity and insurance protections it did not have before; and

WHEREAS, SFPUC staff and PG&E have negotiated proposed terms and conditions of the Easement, set forth in the form of Easement Agreement that is part of the record before this Board, including a purchase price of $2,200 and the reservation to the City of rights to use the Easement Area for uses that are compatible with PG&E's valve station and pipelines; and

WHEREAS, On August 30, 2012, the City Planning Department issued a Certificate of Determination (COD) under the California Environmental Quality Act (CEQA), a copy of which is part of the record before this Board, and determined that this proposed conveyance of an easement to PG&E would fall under a Class 1 Categorical Exemption (CEQA Guidelines Section 15301) for minor alterations of existing facilities to provide natural gas service involving negligible expansion of use, and would not have a significant effect on the environment; and

WHEREAS, On January 7, 2013, the SFPUC's Bureau of Environmental Management concurred with the City Planning Department's COD under CEQA by memorandum; and

WHEREAS, Offering the Easement by competitive bidding process or auction would be impractical because the Easement is located on top of and immediately adjacent to PG&E's existing easement containing a major subsurface gas transmission pipeline and surface valve lot equipment; and

WHEREAS, On April 9, 2013, the SFPUC Commission approved the sale of the Easement and the form of the Easement Agreement, by Resolution No. 13-0052, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 130359; and

WHEREAS, The Director of the Planning Department, by letter dated May 7, 2013, found that this sale of the Easement is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from Environmental Review, a copy of which findings is on file with the Clerk of the Board of Supervisors under File No. 130359 and is incorporated herein by reference; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby finds that the Easement is consistent with the General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from Environmental Review for the same reasons as set forth in the letter of the Director of Planning dated May 7, 2013, and the COD dated August 30, 2012; and, be it

FURTHER RESOLVED, That the Board of Supervisors finds that the public interest or necessity will not be inconvenienced by the conveyance of the Easement, because SFPUC does not need the Easement Area for utility facilities and because conveyance of the Easement will enable PG&E to enhance the safety of its gas pipeline facilities in the Peninsula Watershed; and, be it

FURTHER RESOLVED, That the Board of Supervisors finds that an auction or competitive bidding process would be impractical, because the subject real property is not capable of independent development given its location over and adjacent to an existing PG&E gas transmission pipeline and valve equipment; and, be it

FURTHER RESOLVED, That in accordance with the recommendation of the General Manager of the SFPUC and Director of Property, the Board of Supervisors hereby approves the sale of the Easement for the appraised value of $2,200, and the terms and conditions of the Easement in substantially the form of the Easement Agreement presented to the Board and authorizes the Director of Property or the SFPUC General Manager, in the name and on behalf of the City and County, to execute the Easement Agreement; and, be it

FURTHER RESOLVED, That all actions heretofore taken by any employee or official of the City with respect to this acquisition are hereby approved, confirmed and ratified; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property or the SFPUC General Manager to enter into any amendments or modifications to the Easement Agreement (including, without limitation, the attached exhibits) that the Director of Property determines, in consultation with the City Attorney and SFPUC General Manager, are in the best interest of the City, do not otherwise materially diminish the benefits to the City or increase the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of the Easement Agreement and are in compliance with all applicable laws, including City's Charter; and, be it

FURTHER RESOLVED, That the Director of Property or the SFPUC General Manager is hereby authorized and urged, in the name and on behalf of the City and County, to take any and all steps (including, but not limited to, the execution and delivery of any and all

certificates, agreements, notices, consents, escrow instructions, closing documents and other instruments or documents) as the Director of Property deems necessary or appropriate in order to consummate the conveyance of the Easement pursuant to the Easement Agreement, or to otherwise effectuate the purpose and intent of this resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property of any such documents.

Recommended:

General Manager
San Francisco Public Utilities Commission

Director of Property

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130359 **Date Passed:** June 04, 2013

Resolution approving and authorizing the sale of an easement on the City and County of San Francisco's property, consisting of approximately 7,800 square feet of watershed lands in unincorporated San Mateo County, near Edgewood Road, by the Public Utilities Commission, for the price of $2,200; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan and the priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

May 20, 2013 Land Use and Economic Development Committee - RECOMMENDED..

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130359

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

Mayor

6/13/13
Date Approved

AMENDED IN COMMITTEE
5/22/13

FILE NO. 130341 RESOLUTION NO. 171-13

[Real Property Acquisition - Park Purposes - 3861-24th Street - $4,242,510]

Resolution authorizing the acquisition of real property at 3861-24th Street, Assessor's Parcel Block No. 6509, Lot No. 040, for $4,242,510 for park purposes, from the Noe Valley Ministry PCUSA; finding that the proposed transaction is in conformance with the City's General Plan and the priority policies of Planning Code, Section 101.1, and categorically exempt from environmental review as under the California Environmental Quality Act.

WHEREAS, The Noe Valley Ministry PCUSA, and a California corporation, owns the real property located at 3861 24th Street (Lot 040, Block 6509), located between Sanchez and Vicksburg Streets (the "Property"), which is comprised of 10,829 square feet of land currently paved and used as a parking lot and weekly Farmers' Market; and

WHEREAS, The Property has been identified by the Recreation and Park Department ("RPD") as an ideal future neighborhood park, following considerable community outreach; and

WHEREAS, The Director of Property, in consultation with RPD, negotiated a proposed Purchase and Sale Agreement for the Property, which is on file with the Clerk of the Board of Supervisors under File No. 130341 (the "Purchase Agreement"), with a purchase price of $4,242,510, but with a price reduction (credit) of $342,510 to be retained by the City to perform anticipated environmental remediation; and

WHEREAS, The City obtained an independent, third party appraisal to confirm that the proposed purchase price does not exceed the fair market value of the Property based on the highest and best use of the Property; and

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WHEREAS, The Director of Property has determined that the proposed sales price is reasonable and represents fair market value for the Property; and

WHEREAS, RPD does not currently have funds available to develop the Property into a public park, and therefore RPD intends to apply for a grant to fund development of the Property into a park if the City acquires the Property, and during the interim period from acquisition until funding availability, RPD intends to operate the Property as an unimproved public open space; and

WHEREAS, The Planning Department, through General Plan Referral Letter dated February 25, 2013 ("Planning Letter"), which is on file with the Clerk of the Board of Supervisors under File No. 130341, has verified that the City's acquisition of the Property for park purposes is consistent with the General Plan and the Eight Priority Policies under the Planning Code Section 101.1; and

WHEREAS, In the Planning Letter, the Major Environmental Analysis Section of the Department determined that the Project (City acquisition of AB 4750/030) is a nonphysical project (Class 8; Acquisition of urban open space & Class 4 (b) - Creation of new parks) and therefore categorically exempt from environmental review under CEQA; and

WHEREAS, The Recreation and Park Commission has recommended approval of the purchase and remediation of the Property using Park, Recreation and Open Space Funds, at their meeting of April 18, 2013; and

WHEREAS, Under the Purchase Agreement, The Noe Valley Ministry PCUSA shall deliver the Property to the City at the close of escrow, anticipated to occur on or around June 30, 2013, with no occupants or tenants on the Property; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby finds that the acquisition of the Property is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1 and the purchase is Categorically Exempt from CEQA for the same

reasons as set forth in the Planning Letter, and hereby incorporates such findings by reference as though fully set forth in this Resolution; and, be it

FURTHER RESOLVED, That in accordance with the recommendations of the Director of Property and Recreation and Park Commission, the Board of Supervisors hereby approves the Purchase Agreement, in substantially the form presented to this Board, and authorizes City staff to take all actions necessary to acquire the Property consistent with the Purchase Agreement; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to complete the purchase of the Property and, working with and through the Director of Public Works, remediate the Property, using Park, Recreation and Open Space Funds as contemplated herein; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges appropriate funding be provided to the Recreation and Park Department, through the budget process, to adequately staff and service any newly acquired park facilities; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property, in consultation with the City Attorney and General Manager of RPD, to enter into any additions, amendments or other modifications to the Purchase Agreement that the Director of Property determines are in the best interests of the City, do not materially increase the obligations or liabilities of the City or materially decrease the benefits to the City, and are in compliance with all applicable laws, including the City's Charter; and, be it

FURTHER RESOLVED, That the Director of Property is hereby authorized and urged, in the name and on behalf of the City and County, to accept the Deed to the Property from the Noe Valley Ministry PCUSA in accordance with the Purchase Agreement, place the Property under the jurisdiction of RPD, and to take any and all steps (including, but not limited to, the execution and delivery of any and all certificates, agreements, notices, consents, escrow

instructions, closing documents and other instruments or documents) as the Director of Property deems necessary or appropriate in order to consummate the purchase of the Property pursuant to the Purchase Agreement, or to otherwise effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property of any such documents; and, be it

FURTHER RESOLVED, That the purchase of the Property shall be funded from the Open Space Acquisition Fund and not the Park, Recreation and Open Space Fund; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to the Purchase Agreement, or authorized and directed by this Resolution, are hereby ratified, approved and confirmed by this Board of Supervisors.

$4,242,510 available
Index Code:
2S OSP CPR, REC2SOSPCPR, CRPACQ01

Controller

RECOMMENDED:

Director of Property

RECOMMENDED:

General Manager
Recreation and Park Department

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130341 **Date Passed:** June 04, 2013

Resolution authorizing the acquisition of real property at 3861-24th Street, Assessor's Block No. 6509, Lot No. 040, for $4,242,510 for park purposes, from the Noe Valley Ministry PCUSA; finding that the proposed transaction is in conformance with the City's General Plan and the priority policies of Planning Code, Section 101.1, and categorically exempt from environmental review as under the California Environmental Quality Act.

May 22, 2013 Budget and Finance Committee - AMENDED

May 22, 2013 Budget and Finance Committee - RECOMMENDED AS AMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130341

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

fo

Angela Calvillo
Clerk of the Board

Mayor

6/13/13

Date Approved

[Contract Amendment - Port of San Francisco - Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza - Not to Exceed $11,491,708]

Resolution authorizing the Executive Director of the Port of San Francisco to execute an amendment to the contract with Kaplan, McLaughlin, and Diaz Architects, and Pfau Long Architecture, a Joint Venture, for architectural and engineering design services for the Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza Project at Pier 27 to increase the not-to-exceed contract amount by $1,541,708 from $9,950,000 to $11,491,708 for the period of November 10, 2009, through December 31, 2014.

WHEREAS, The City and County of San Francisco, through the San Francisco Port Commission (the "Port"), is currently undertaking the construction of the Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza Project (the "Project"). The Project is intended to transform the existing ten-acre Pier 27 site into a vibrant year-round cruise terminal and public plaza that will meet security and passenger demands of the cruise industry, while also allowing for public recreation and special event uses. The new cruise terminal will function as the main point of entry for ships during the cruise season and will also be available for special events such as conventions, nonprofit fund raisers, private parties, and community festivals such as Fleet Week. With the award of the 34th America's Cup to San Francisco, the Project will be used for two purposes – first as the starting & finishing line for the America's Cup race and, subsequently, as San Francisco's premier primary cruise ship terminal; and

WHEREAS, Through a competitive solicitation process, the Port and Department of Public Works selected Kaplan, McLaughlin, and Diaz Architects, and Pfau Long Architecture,

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a Joint Venture ("KMD/Pfau Long") to provide architectural and engineering design services for the Project; and

WHEREAS, On November 10, 2009, by Resolution 09-70, the Port Commission authorized award of a contract to KMD/Pfau Long in the initial amount of $2,419,440, with a contingency for further increases to $2,661,384, for the Project architectural and engineering design services (the "Contract") commencing with the Program Phase, the Conceptual Design Phase and the Schematic Design Phase; and

WHEREAS, On April 12, 2011, by Resolution 11-22, the Port Commission authorized an increase to the Contract with KMD/Pfau Long in the amount of $2,410,070, for a total of $5,071,454, to commence the Design Development Phase; and

WHEREAS, On July 12, 2011, by Resolution 11-50, the Port Commission authorized an increase to the Contract with KMD/Pfau Long in the amount of $3,039,449, for a total of $8,110,903, to commence Phase 1 Construction Document and Construction Administration, and to begin Phase 2 Design Development and Construction Documents; and

WHEREAS, On December 16, 2011, by Resolution 11-77, the Port Commission authorized an increase to the Contract with KMD/Pfau Long in the amount of $1,062,389, for a total of $9,173,292, to continue Phase 1 construction administration services; and

WHEREAS, On April 24, 2012, by Resolution 12-38, the Port Commission authorized an increase to the Contract with KMD/Pfau Long in the amount of $776,708, for a total of $9,950,000, to pay any remaining fees associated with Phase 1 of the Project, except for Construction Administration; and

WHEREAS, On December 11, 2012, by Resolution 12-96, the Port Commission authorized the execution of a Contract amendment with KMD/Pfau Long to extend the term of the Contract to December 31, 2014, and to include any necessary additional services for Phase 2 Project scope as described in the accompanying staff memorandum and to increase

the amount of the Contract from $9,950,000 to a total amount not to exceed of $11,491,708, or by $1,541,708; and

WHEREAS, The funding source for the proposed $1,541,708 Contract increase includes General Obligation Bond proceeds for park-related services and Port revenue bond proceeds and other Port capital funds from non-park related services; and

WHEREAS, The Contract includes a Local Business Enterprise (LBE) subconsulting goal of 15%; and

WHEREAS, A copy of the proposed Contract amendment in substantially the final form is on file with the Clerk of the Board of Supervisors in File No. 130448, which is hereby declared to be part of this Resolution as if set forth fully herein; and,

WHEREAS, San Francisco Charter Section 9.118, requires that the Board of Supervisors approve certain contracts, other than construction contracts, with anticipated expenditures of more than ten million dollars ($10,000,000); and

WHEREAS, a Final Environmental Impact Report ("Final EIR") was prepared for this Project and this Board upheld the certification of the Final EIR on January 24, 2012, by its Motion No. M12-011 (which is on file with the Clerk of this Board in File No. 111359), and the Port Commission adopted Environmental Findings under the California Environmental Quality Act ("CEQA Findings") when it approved the Project by Port Commission Resolution No. 11-75 on December 16, 2011 (effective January 24, 2012), finding the Mitigation Measures in the Final EIR to be feasible and adopting the CEQA Findings and Mitigation Monitoring and Reporting Program for the Project, including the Statement of Overriding Considerations, which the Board of Supervisors incorporates herein by reference; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby approve and authorize the Executive Director of the Port to execute an amendment to the Contract between the Port and KMD/Pfau Long for further architectural and engineering design services needed to complete

the Project, including Phase 2 construction administration and other related services and to increase the not-to-exceed amount of the Agreement from $9,950,000 to $11,491,708, an increase of $1,541,708, in substantially the form on file with the Clerk of this Board in such final form as approved by the Port Executive Director and the City Attorney; and, be it

FURTHER RESOLVED, That the Board of Supervisors finds that the activities described in this Resolution do not require additional environmental review because there have been no substantial Project changes and no substantial changes in Project circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR, and this Board hereby adopts and incorporates the CEQA Findings set forth in Port Commission Resolution No. 11-75, including the Mitigation Monitoring and Reporting Program, by this reference thereto; and be it

FURTHER RESOLVED, That within thirty (30) days of the Contract amendment being fully executed by all parties, the Port shall deposit a fully-executed copy of the amendment with the Clerk of this Board in File No. 130448.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130448 **Date Passed:** June 04, 2013

Resolution authorizing the Executive Director of the Port of San Francisco to execute an amendment to the contract with Kaplan, McLaughlin, and Diaz Architects, and Pfau Long Architecture, a Joint Venture, for architectural and engineering design services for the Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza Project at Pier 27 to increase the not to exceed contract amount by $1,541,708 from $9,950,000 to $11,491,708 for the period of November 10, 2009, through December 31, 2014.

May 29, 2013 Budget and Finance Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 9 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang and Wiener

Noes: 2 - Campos and Yee

File No. 130448

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/13/13
Date Approved

[Issuance - Port Revenue Bonds - James R. Herman Cruise Terminal Project - Not to Exceed $25,300,000]

Resolution authorizing the issuance of not to exceed $25,300,000 aggregate principal amount of Port Revenue Bonds for the purpose of financing capital improvements related to Phase II of the James R. Herman Cruise Terminal Project located at Pier 27 and for improvements to Northern Waterfront Historic Piers; authorizing the Port to cause the preparation of such documents necessary in connection with the issuance of said Port revenue bonds; stating the official intent of the Port to reimburse itself with tax-exempt bonds for expenditures made or to be made for the acquisition, construction, or improvement of the project; authorizing the Port to borrow funds on an interim basis from the City's commercial paper program; and related matters.

WHEREAS, Pursuant to Section 9.107(4) of the Charter (the "Charter") of the City, the Board of Supervisors of the City (the "Board") is authorized to provide for the issuance of revenue bonds by the Port Commission of the City and County of San Francisco (the "Port Commission") for any Port-related purpose and secured solely by Port revenues, such revenue bonds to be issued and sold in accordance with State law or any procedure provided for by ordinance; and

WHEREAS, Pursuant to the procedures outlined in a Ordinance No.258-09, adopted by the Board of Supervisors on December 8, 2009, and signed by the Mayor on December 9, 2009 (the "Procedural Ordinance"), the Port Commission may issue its revenue bonds authorized in accordance with the Charter; and

WHEREAS, The Port has undertaken a project at Pier 27 for the development of a cruise terminal and public plaza (the "Cruise Terminal Project"); and in order to finance the

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costs of Phase II of the Project it is necessary for the Port to proceed with the issuance of its revenue bonds (the "Port Revenue Bonds"); and

WHEREAS, On May 14, 2013, the Port Commission adopted Resolution No. 13-19 to approve the issuance of the Port Revenue Bonds in an amount not to exceed $25,300,000 for the Cruise Terminal Project, and authorized the Port to borrow funds from the City's commercial paper program in anticipation of the issuance of Port Revenue Bonds; and

WHEREAS, In order to pay for preliminary costs of the Project it may be necessary for the Port to borrow funds on an interim basis from the City's commercial paper program in anticipation of the issuance of Port Revenue Bonds; and

WHEREAS, The Port has paid, beginning on a date no earlier than 60 days prior to the adoption of this Resolution, and will pay, on and after the date hereof, certain expenditures (the "Expenditures") in connection with the acquisition, construction and/or equipping of the Cruise Terminal Project; and

WHEREAS, The Port Commission has determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Port for the Expenditures from the proceeds of one or more issues of tax exempt bonds (herein referred to as the Port Revenue Bonds);

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the City and County of San Francisco, as follows:

Section 1. Recitals. All of the recitals herein are true and correct.

Section 2. Approval and Authorization of Port Revenue Bonds. The Board hereby approves the issuance by the Port of its Port Revenue Bonds for the purposes of paying the costs of Phase II of the Cruise Terminal Project and Northern Waterfront Historic Pier Structures Repair, as well as paying off any commercial paper issued in anticipation of the

Port Revenue Bonds and paying costs of issuance and other costs associated with the Port Revenue Bonds is hereby approved as required by Section 43.12.5 of the Procedural Ordinance. The total principal amount of the Port Revenue Bonds for the purposes herein authorized shall not exceed $25,300,000.

Section 3. Official Intent to Reimburse. The Board hereby declares, on behalf of the Port, the intention to cause a reimbursement with the proceeds of the Port Revenue Bonds for the Expenditures with respect to the Cruise Terminal Project made on and after March 20, 2013, which date is no more than 60 days prior to the date hereof. The Board reasonably expects on the date hereof that the Port will reimburse the Expenditures with the proceeds of the Port Revenue Bonds issued in accordance with Section 2 above. The Expenditure will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Port Revenue Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Port so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Port.

Section 5. Port Revenue Bonds; Authorization to Issue City Commercial Paper In Anticipation of Port Revenue Bonds. The Port is hereby authorized to cause such documents to be prepared in connection with the issuance of the Port Revenue Bonds; provided however, such documents shall not conflict with the provisions of the Procedural Ordinance and the Executive Director of the Port shall receive final approval from the Port Commission of the form of said documents, including the approval of any Official Statement, prior to the sale of the Port Revenue Bonds. In order to expedite work on the Cruise Terminal Project, the Port is also hereby authorized to borrow funds, on an interim basis, from the City's existing

commercial paper program in an amount not to exceed $19,500,000, such amount to be repaid with the proceeds of the Port Revenue Bonds authorized hereby.

Section 6. CEQA Findings. A Final Environmental Impact Report ("Final EIR") was prepared for the Cruise Terminal Project and this Board upheld the certification of the Final EIR on January 24, 2012 by its Motion No. M12-011 (which is on file with the Clerk of this Board in File No. 111359), and the Port Commission adopted Environmental Findings under the California Environmental Quality Act ("CEQA Findings") when it approved the Cruise Terminal Project by Port Commission Resolution No. 11-75 on December 16, 2011 (effective January 24, 2012), finding the Mitigation Measures in the Final EIR to be feasible and adopting the CEQA Findings and Mitigation Monitoring and Reporting Program for the Project, including the Statement of Overriding Considerations, which the Board of Supervisors incorporates herein by reference. The Port Commission hereby agrees to complete any additional findings required under CEQA for the Northern Waterfront Historic Pier Structures Repair prior to the expenditure of Port Bonds therefor.

Section 7. General Authority. The Mayor, the City Attorney, the Controller, the City Administrator, the Director of Public Finance, the Clerk of the Board and other officers of the City and their duly authorized deputies and agents are hereby authorized and directed, jointly and severally, to take such actions and to execute and deliver such certificates, agreements, requests or other documents as they may deem necessary or desirable to facilitate the execution and delivery of the Port Bonds and otherwise to carry out the provisions of this Resolution in accordance with its terms.

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Section 8. Ratification of Actions. All actions heretofore taken by officials, employees and agents of the City with respect to the sale and issuance of the Port Revenue Bonds are hereby approved, confirmed and ratified.

APRPOVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
Mark D. Blake
Deputy City Attorney
n:\financ\as2013\1300466\00848902.doc

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130488 **Date Passed:** June 04, 2013

Resolution authorizing the issuance of not to exceed $25,300,000 aggregate principal amount of Port Revenue Bonds for the purpose of financing capital improvements related to Phase II of the James R. Herman Cruise Terminal Project located at Pier 27 and for improvements to Northern Waterfront Historic Piers; authorizing the Port to cause the preparation of such documents necessary in connection with the issuance of said Port revenue bonds; stating the official intent of the Port to reimburse itself with tax-exempt bonds for expenditures made or to be made for the acquisition, construction, or improvement of the project; authorizing the Port to borrow funds on an interim basis from the City's commercial paper program; and related matters.

May 29, 2013 Budget and Finance Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130488

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/13/13
Date Approved

AMENDED IN COMMITTEE
5/22/13

FILE NO. 130295 RESOLUTION NO. 174-13

[Lease Renewal and Amendment - Real Property at 1390 Market Street - BRCP 1390 Market, LLC - $82,818.07 monthly]

Resolution authorizing the five-year renewal and amendment of a lease of approximately 27,826 square feet of space at 1390 Market Street with BRCP 1390 Market, LLC, as Landlord for use by the Department of Public Health at the monthly cost of $82,818.07 for the period of December 1, 2013, through November 30, 2018.

WHEREAS, The Department of Public Health - Environmental Health Section (DPH - EHS) has occupied space since 1997 at the building commonly known as Fox Plaza, 1390 Market Street (Premises), San Francisco pursuant to a lease with Calfox, Inc. dated September 9, 1996, authorized by Resolution No. 699-96; and

WHEREAS, BRCP 1390 Market, LLC, is successor in interest to Calfox; and

WHEREAS, The current lease term for DPH - EHS was extended through November 30, 2013, by Resolution No. 74-08 for Premises consisting of 25,939 sq. ft.; and

WHEREAS, The DPH - EHS, over the past five years of the current lease term, has taken on new responsibilities for its Automated Point of Sale Inspection Program pursuant to Board of Supervisors Ordinance No. 195-10, and added 5 full time employees to conduct price verification inspections to test the point-of-sale systems to verify the accuracy of the transactions; and

WHEREAS, The DPH - EHS, over the past five years of the current lease term, has also added 7 other full time employees for additional regulatory responsibilities, including 3 employees in the Healthy Housing Program to comply with new local legislation, 1 employee as requested by Supervisor Chu to increase inspections to deter illegal activity in massage businesses, 1 employee to enforce new local tobacco legislation, 1 employee for enforcing

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federal standards around menu labeling, and 1 employee for inspections and issues around bed bugs; and

WHEREAS, Such additional staff at DPH - EHS are currently scattered throughout Premises and DPH - EHS desires to consolidate and co-locate the additional staff into cohesive units for better teamwork, supervision and other operational efficiencies.

WHEREAS, The Real Estate Division and the Landlord have negotiated the renewal of the lease for five additional years through November 30, 2018, and the expansion of the Premises by 1,887 sq. ft.; and

WHEREAS, Such terms for extension and expansion are subject to enactment of a resolution by the Board of Supervisors and the Mayor, in their respective sole and absolute discretion; now, therefore, be it

RESOLVED, That in accordance with the recommendation of the Director of the Department of Public Health and the Director of Property, Real Estate Division, the Director of Property is hereby authorized to take all actions on behalf of the City and County of San Francisco, as tenant, to extend and expand the Lease (copy of lease amendment on file in File No. 130295 with the Clerk of the Board) with BRCP 1390 Market, LLC ("Landlord"), for the building commonly known as Fox Plaza, 1390 Market Street, San Francisco, California, for the area of approximately 27,826 sq. ft., on the terms and conditions set forth herein, and on a form approved by the City Attorney; and, be it

FURTHER RESOLVED, That the Lease extension shall be for a term of five years through November 30, 2018, for Premises consisting of 27,826 sq. ft. at a monthly rental of $82,818.07, (approximately $35.72 per sq. ft. annually), fully serviced except that City shall continue to pay for separately metered electricity on approximately 14,549 sq. ft. while the Landlord shall pay for the other utilities, janitorial services, building maintenance, and repairs;

City shall also pay for the typical tenant expenses including standard operating expense increases over a 2013 Base Year; and, be it

FURTHER RESOLVED, That in the event Substantial Completion of the Tenant Improvements for the expansion Premises consisting of 1,887 sq. ft., occurs prior to November 30, 2013, (expected to be August 1, 2013) the expansion premises shall be added to the existing Lease at the additional monthly rental of $6,006.95 (approximately $38.20 per sq. ft. annually), so that after the addition of expansion Premises and beginning December 1, 2103 the base monthly rent shall be a total of $82,818.07 or approximately $35.72 per sq.ft. annually on the total premises of 27,826 sq. ft.; and, be it

FURTHER RESOLVED, That the Lease shall continue to include the lease clause, indemnifying, holding harmless, and defending Landlord and its agents from and against any and all claims, costs and expenses, including without limitation, reasonable attorneys' fees, incurred as a result of any default by the City in the performance of any of its material obligations under the Lease, or any negligent acts or omissions of the City or its agents, in, on, or about the Premises or the property on which the Premises are located, excluding those claims, costs and expenses incurred as a result of the negligence or willful misconduct of the Landlord or its agents; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to such Lease are hereby approved, confirmed and ratified; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to enter into any amendments or modifications to the Lease (including, without limitation, the exhibits) that the Director of Property determines, in consultation with the City Attorney, are in the best interest of the City, do not increase the rent or otherwise materially increase the obligations or liabilities of the City, are necessary or advisable to effectuate the

purposes of the Lease renewal or this resolution, and are in compliance with all applicable laws, including the City Charter; and, be it

FURTHER RESOLVED, That the City shall occupy the entire Premises for the full term of the Lease unless funds for the Department of Public Health's rental payments are not appropriated in any subsequent fiscal year at which time the City may terminate the Lease with advance notice to Landlord. Said Lease shall be subject to certification as to funds by the Controller, pursuant to Section 6.302 of the City Charter.

$954,064.29 Available
(1 month @$70,062.00) July 2013
(4 months at $76,068.95) August 2013 through November, 2013
(7 months @$82,818.07) December, 2013 through June 2014
HCHPBADMINGF

Controller

Subject to the enactment of the Annual Appropriation Ordinance for Fiscal Year 2013/2014.

RECOMMENDED:

Department of Public Health

Director of Property
Real Estate Division

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130295 **Date Passed:** June 04, 2013

Resolution authorizing the five year renewal and amendment of a lease of approximately 27,826 square feet of space at 1390 Market Street with BRCP 1390 Market, LLC, as Landlord, for use by the Department of Public Health at the monthly cost of $82,818.07 for the period of December 1, 2013, through November 30, 2018.

May 22, 2013 Budget and Finance Sub-Committee - AMENDED

May 22, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130295

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

Mayor

6/13/13
Date Approved

AMENDED IN COMMITTEE
5/22/13

FILE NO. 130391 RESOLUTION NO. 175-13

[Airport Professional Services Agreement Amendment - Curbside Management Program - Not to Exceed $14,636,814]

Resolution approving Amendment No. 1 to Professional Services Agreement, Airport Contract No. 8994, to Manage and Staff the Curbside Management Program, between FSP PPM Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $14,636,814 pursuant to Charter, Section 9.118(b), for the period of July 1, 2013, through June 30, 2014.

WHEREAS, On July 6, 2010, pursuant to Resolution 10-0228, the Airport Commission awarded the Professional Services Agreement (PSA) to FSP PPM Management, LLC for a 30-month initial term with three (3) additional one-year renewal options to be exercised at the discretion of the Airport Commission, at an initial not to exceed amount of $10,450,000; and

WHEREAS, On November 16, 2010, pursuant to Resolution No. 548-10, the Board of Supervisors approved the PSA to FSP PPM Management, LLC, to manage and staff the Curbside Management Program in an amount not to exceed $10,450,000 on file with the Clerk of the Board of Supervisors in File No. 101294, which is hereby declared to be a part of this resolution as if set forth fully herein; and

WHEREAS, On January 15, 2013, pursuant to Resolution 13-0005, the Airport Commission approved Amendment No. 1 to the Curbside Management Program Contract with FSP PPM Management, LLC to exercise the first of three (3) one-year options to renew the PSA through June 30, 2014 for the amount of $4,617,000 for a new not to exceed contract total of $15,067,000; and

WHEREAS, The Airport anticipates the contract duration to be up to five and one-half (5 ½) years, in an amount not-to-exceed $26,000,000; and

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WHEREAS, San Francisco Charter Section 9.118(b) provides that the agreements entered into by a department, board or commission requiring anticipated expenditures by the City and County of ten million dollars, shall be subject to approval by the Board of Supervisors by resolution; and

WHEREAS, The Agreement is on file with the Clerk of the Board of Supervisors in File No. 130391, which is hereby declared to be a part of this resolution as if set forth fully herein, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves Amendment No. 1 to the Professional Services Agreement for Airport Contract 8994 – to Manage and Staff the Curbside Management Program between FSP PPM Management, LLC and the City and County of San Francisco, acting by and through its Airport Commission, to exercise the first of three (3) additional one-year options for the amount of $4,557,975 for a new not to exceed total contract amount of $14,636,814 with an anticipated final contract value not to exceed $26,000,000, copies of which are contained in Board of Supervisors' File No. 130391.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130391 **Date Passed:** June 04, 2013

Resolution approving Amendment No. 1 to Professional Services Agreement, Airport Contract No. 8994, Manage and Staff the Curbside Management Program, between FSP PPM Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $14,636,814, pursuant to Charter, Section 9.118(b), for the period of July 1, 2013, through June 30, 2014.

May 22, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

May 22, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130391

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/13/13
Date Approved

[Lease - Sega Food Groups, Inc. - 133 O'Farrell Street - Annual Base Rent of $180,000]

Resolution authorizing the Municipal Transportation Agency to execute a retail lease agreement with Sega Food Groups, Inc., and Ramin Vahabi for approximately 1,127 square feet of retail space at 133 O'Farrell Street, for a 10-year term, plus two five-year extension options, at an initial annual base rent of $180,000 with annual increases.

WHEREAS, The Ellis O'Farrell Garage, owned by the City and County of San Francisco, a municipal corporation, and managed by the San Francisco Municipal Transportation Agency (SFMTA), offers three retail spaces, one of which is currently vacant; and

WHEREAS, Sega Food Groups, Inc. (Sega) and Ramin Vahabi (together, Tenant) desire to lease the vacant retail space designated as 133 O'Farrell Street and comprised of approximately 1,125 square feet (Premises) for an initial term of 10 years with two (2) five-year options to renew; and

WHEREAS, Over the past 10 years, Sega has successfully operated seven food and beverage outlets in the very high traffic, high profile areas of the City; and

WHEREAS, Tenant desires to open a retail food and beverage outlet in the Premises pursuant to a lease agreement negotiated by Tenant and SFMTA staff; and

WHEREAS, The lease agreement provides an initial term of 10 years starting at the base rent of $15,000 per month, with annual rent increases of 3 percent and two five-year extensions; and

WHEREAS, Over the 10-year initial term, the lease agreement will generate $2.1 million in additional revenue; and

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WHEREAS, Tenant shall pay the possessory interest taxes and all associated broker fees and commissions; and

WHEREAS, No tenant improvement allowance or rent credits will be provided to Tenant; and

WHEREAS, On May 7, 2012, the SFMTA Board of Directors passed a resolution authorizing the Director of Transportation to execute the Lease Agreement and to forward to the Board of Supervisors for final approval; now, therefore, be it

RESOLVED, That all actions heretofore taken by the officers of the City with respect to the Lease are hereby approved, confirmed and ratified; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Transportation of the SFMTA to enter into any amendments or modifications to the Lease (including without limitation, the exhibits) that the Director of Transportation determines, in consultation with the City Attorney, are in the best interest of the City, do not increase the rent or otherwise materially increase the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of the Lease or this Resolution, and are in compliance with all applicable laws, including City's Charter; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Transportation to approve the Lease Agreement between the City and County of San Francisco and Sega Food Groups, Inc. (Sega) and Ramin Vahabi.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130418 **Date Passed:** June 04, 2013

Resolution authorizing the Municipal Transportation Agency to execute a retail lease agreement with Sega Food Groups, Inc., and Ramin Vahabi for approximately 1,127 square feet of retail space at 133 O'Farrell Street, for a 10 year term, plus two five year extension options, at an initial annual base rent of $180,000 with annual increases.

May 22, 2013 Budget and Finance Sub-Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130418

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/13/13
Date Approved

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FILE NO. 130421 RESOLUTION NO. 177-13

[Accept and Expend Grant - Highway Bridge Program - $3,415,487]

Resolution authorizing the Department of Public Works to retroactively accept and expend a Federal grant in the amount of $3,415,487 from the Federal Highway Administration for the Islais Creek Bridge Rehabilitation Project for the period of May 1, 2013, through March 31, 2015.

WHEREAS, The Highway Bridge Program is funded by the Federal Highway Administration Authorized by United States Code (USC) Title 23, Section 144; and

WHEREAS, Caltrans Department of Local Assistance, which is responsible for administering the HBRRP at the local level in the State of California, solicited HBP applications in August, 2012; and

WHEREAS, Islais Creek Bridge has a sufficiency rating below 80 from Caltrans, making it eligible for HBRRP funding; and

WHEREAS, On September 28, 2012, the San Francisco Department of Public Works (DPW) submitted an application to Caltrans for $21,121,487 in HBP funds for the Islais Creek Bridge Rehabilitation Project, of which $3,415,487 is for the Preliminary Engineering Phase; and

WHEREAS, HBP requires at least an 11.47% local match; and

WHEREAS, The 2011 General Obligation Road Repaving and Street Safety Bond, included $8,100,000 for inspection and repair of San Francisco street structures, including bridges; and

WHEREAS, $442,513 in 2011 General Obligation Road Repaving and Street Safety Bond funding will be used as the required local match for this grant; and

WHEREAS, The DPW is a sponsor of transportation projects eligible for HBP funds; and

WHEREAS, The grant does not require an ASO amendment; and

WHEREAS, The grant budget does include $330,493 in indirect costs; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors authorizes the Director of Public Works or his/her designee to accept and expend a $3,415,487 federal grant from Caltrans for the Islais Creek Bridge Rehabilitation Project; and, be it

FURTHER RESOLVED, That Director of Public Works or his/her designee is authorized to execute all documents pertaining to the project with Caltrans.

Recommended:

for Mohammed Nuru

Approved: _____
Mayor

Approved: _____
Controller

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130421 **Date Passed:** June 04, 2013

Resolution authorizing the Department of Public Works to retroactively accept and expend a Federal grant in the amount of $3,415,487 from the Federal Highway Administration for the Islais Creek Bridge Rehabilitation Project for the period of May 1, 2013, through March 31, 2015.

May 22, 2013 Budget and Finance Sub-Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130421

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/13/13
Date Approved

FILE NO. 130422 RESOLUTION NO. 178-13

[Contract for, Accept, and Expend Grant - Criminal Restitution Compact - Up to $256,974]

Resolution authorizing the Office of the District Attorney to contract for, accept and expend up to $256,974 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2013, through June 30, 2016.

WHEREAS, The City and County of San Francisco desires to enter into an agreement with the California Victim Compensation and Government Claims Board in accordance with Government Section 13835 for the purpose of ensuring that restitution fines and orders are properly administered; and

WHEREAS, Funds received hereunder shall not be used to supplant local funds that would, in the absence of California Victim Compensation and Government Claims Board Programs, be made available to support the assistance of victims and witnesses of crime; and,

WHEREAS, All positions supported by these funds shall be coded "G" in the District Attorney's budget; and

WHEREAS, The District Attorney proposes to maximize use of available grant funds on program expenditures by not including indirect costs in the grant budget; and

WHEREAS, The grant does not require an amendment to the Annual Salary Ordinance (ASO); now, therefore, be it

RESOLVED, That the District Attorney of the City and County of San Francisco, or his designee, is authorized on behalf of the City and County of San Francisco to contract for, accept and expend funds from the California Victim Compensation and Government Claims Board to continue the Criminal Restitution Compact; including any extensions, augmentations or amendments thereof; and, be it

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FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget.

RECOMMENDED:

Office of the District Attorney

George Gascón

APPROVED:

Office of the Controller

By: _____

Ben Rosenfield

APPROVED:

Office of the Mayor

By: _____

Edwin M. Lee

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130422 **Date Passed:** June 04, 2013

Resolution authorizing the Office of the District Attorney to contract for, accept, and expend up to $256,974 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2013, through June 30, 2016.

May 22, 2013 Budget and Finance Sub-Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130422

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/13/13
Date Approved

Amendment of the Whole in Board
Bearing a New Title
6/4/13

FILE NO. 130168 RESOLUTION NO. 179-13

[Liquor License Transfer - 800 Post Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street (District 3), to Dan Cowan and Jim Saxton for UNX Enterprises, LLC, dba Café Royale, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Dan Cowan and Jim Saxton are seeking the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street for UNX Enterprises, LLC, dba Café Royale; and,

WHEREAS, The Planning Department has verified that the area is properly zoned and recommends approval; and,

WHEREAS, The Police Department has filed one (52) protest and zero (0) letters of support with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control approve the liquor license with the below recommended conditions; and,

WHEREAS, The conditions recommended by the San Francisco Police Department are as follows: 1) The sale of alcoholic beverages for consumption off the premises is prohibited; 2) No person under the age of twenty-one (21) shall sell, furnish or deliver alcoholic beverages; 3) Security personnel shall be readily identifiable as security by wearing distinctive clothing that has a logo of the establishment and the

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apparel shall state "SECURITY STAFF." The number of security personnel shall be sufficient to check ID of all persons entering the premises and to maintain the control and order of any queue of patrons waiting for admissions to the premises; 4) Between the hours of 9:00 p.m. and to one-half hour past closing, the petitioner shall provide security personnel or an individual qualified by the ABC who shall maintain order therein and prevent any activity which would interfere with the quiet enjoyment of their property by nearby residents; 5) There shall be surveillance cameras at all exit and entrance points so that all patrons are visually recorded as they enter and exit the establishment. A digital recording shall be maintained by the establishment for no less than 15 days. The recording shall be made available to local law enforcement upon request and in connection with a specific investigation; 6) The interior lighting shall be sufficient to make easily discernible the appearance and conduct of all persons and patrons in that portion of the premises where alcoholic beverages are sold, served, delivered or consumed; 7) All doors and windows shall be kept closed at all times during hours of entertainment, except for normal ingress and egress and in cases of emergencies and to permit deliveries; 8) No noise shall be audible outside the establishment during the daytime or nighttime hours that violates SF Municipal Police Code sections 49 or 2900 et seq. Further, absolutely no sound from the establishment shall be audible inside any surrounding residence or business that violates Section 2900; 9) Anytime the licensee(s) utilize a third party promoter at the premises, the licensee(s) shall maintain control of the management, operation and staffing of the business and shall approve all marketing materials; 10) No live entertainment or DJ's shall be permitted after 12am; 11) Venue, management and personnel shall follow "Good Neighbor Policies" for all nighttime entertainment activities; and,

WHEREAS, The Clerk of the Board of Supervisors has on file three hundred (300) letters of support; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street, to Dan Cowan and Jim Saxton for the Café Royale, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby recommends that the Department of Alcoholic Beverage Control issue the license with the conditions proposed by the Police Department.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130168 **Date Passed:** June 04, 2013

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street (District 3), to Dan Cowan and Jim Saxton for UNX Enterprises, LLC, dba Café Royale, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

May 16, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

May 16, 2013 Neighborhood Services and Safety Committee - REFERRED WITHOUT RECOMMENDATION

June 04, 2013 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

June 04, 2013 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130168

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/13/13
Date Approved

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FILE NO. 130233 RESOLUTION NO. 180-13

[Comprehensive Immigration Reform Including Same-Sex Couples]

Resolution urging Congress to pass an inclusive comprehensive immigration reform that includes all families, including same-sex couples.

WHEREAS, Every American is entitled to equal protection under the law; and

WHEREAS, A driving goal under U.S. immigration law is family unification and the ability of families and individuals to reside legally in the U.S., engaging fully in our country's rich civil traditions and form of government; and

WHEREAS, Federal law does not currently recognize permanent same-sex partners for immigration purposes; and

WHEREAS, The City and County of San Francisco celebrates and respects all immigrant groups and all families, including those of LGBT families; and

WHEREAS, Current U.S. immigration law discriminates against a U.S. citizen or lawful permanent resident and his or her foreign-born partner, by not allowing the sponsorship of the foreign partner to apply for immigration benefits, although an opposite-sex couple would have the right to do so; and

WHEREAS, This form of discrimination and unfair treatment under the law has devastating and life-altering consequences for same-sex couples; and

WHEREAS, The inability to sponsor a same-sex partner leaves the couple with the following limited options: 1) choose to remain in a costly long-distance international relationship; 2) choose to live abroad in the foreign partner's country, if allowable; 3) seek a visa, independent of the partnership, for the foreign-born partner, creating a limited duration of legal stay; 4) choose to allow the foreign-born partner to remain undocumented or allow a visa

to lapse, creating daily uncertainty and fear of deportation; or 5) terminate the relationship; and

WHEREAS, The limited legal options for same-sex partners to keep their relationship unified exacts an enormous emotional, financial, and mental toll, disproportionate to opposite sex couples in bi-national relationships; and

WHEREAS, It is estimated that some 40,000 LGBT American citizens are in same-sex bi-national relationships and are affected by lack of rights and protections of their relationships at the federal level; and

WHEREAS, Beyond the personal challenges to same-sex couples, the City and County of San Francisco, and the entire country, risks a great loss of talent should the foreign partner and/or the U.S. citizen or lawful permanent resident be forced to depart the U.S. to keep the relationship whole in another country; and

WHEREAS, Currently pending in the U.S. Congress is the "Uniting American Families Act" (H.R.519/S.296) reintroduced on February 5, 2013 by Representative Jerrold Nadler (D-NY) and on February 13, 2013 by Senator Patrick Leahy (D-VT) with bipartisan support; and

WHEREAS, The bills call for simply amending existing U.S. immigration law by adding three words – "or permanent partner" – wherever the word "spouse" appears; and

WHEREAS, Congress and President Obama want to fix the broken immigration system by enacting Comprehensive Immigration Reform; and

WHEREAS, President Obama's framework for Comprehensive Immigration Reform includes language from the Uniting American Families Act and ALL Families; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors hereby expresses its support for Congress to enact the passage of a Comprehensive immigration Reform bill that will include the language of the Uniting America Families Act and ALL Families; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs the Clerk of the Board to send a copy of this resolution to the San Francisco Congressional delegation, United States Senator Dianne Feinstein, United States Senator Barbara Boxer, Senate Judiciary Committee Chair Senator Patrick Leahy, House Judiciary Chair Representative Goodlatte, Ranking Member Representative John Conyers, Jr, and to bill sponsor Representative Jerrold Nadler (D-NY).

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130233 **Date Passed:** June 04, 2013

Resolution urging Congress to pass an inclusive comprehensive immigration reform that includes all families, including same-sex couples.

May 16, 2013 Neighborhood Services and Safety Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130233

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

6/13/2013
Date Approved

Date: June 13, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130233

[Lafayette Park Grand Reopening]

Resolution recognizing the grand reopening of the Lafayette Park and commending the Recreation and Park Department, Department of Public Works, Friends of Lafayette Park, and the entire project team, for their hard work and commitment to San Francisco's parks and its residents.

WHEREAS, Originally constructed and opened to the public in 1936 with support from the Work Progress Administration, Lafayette Park is an 11.5-acre multi-use recreation area bounded by Laguna, Sacramento, Gough, and Washington Streets, rich with a history that spans back to the 1860s that hosted a myriad of owners over time, including former City Attorney Samuel Holladay, University of California professor George Davidson, real estate mogul Louis Lurie, and condominium developer Alexander Wilson; and

WHEREAS, in 2008, as part of the $185 million Clean and Safe Neighborhood Parks Bond, the voters of San Francisco allocated over $10 million to Lafayette Park to upgrade and improve this community treasure in of the city's most densely populated neighborhoods with children and families; and

WHEREAS, The Recreation and Park Department in partnership with the Department of Public Works, the San Francisco Parks Alliance, and the Friends of Lafayette Park facilitated a strong community design process that respected the historical value the park holds to the neighbors and includes a total renovation of the tennis courts, restoration of existing pathways, replacement of the irrigation and drainage system, increased lighting, new and expanded landscaping utilizing drought tolerant plants, picnic area, improved off-leash dog play area, and ADA accessible upgrades to the restroom; and

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WHEREAS, In addition to these other park improvements, with the help and generous grant of more than $450,000 from the Friends of Lafayette Park and with funding from the 2008 Clean and Safe Neighborhood Parks Bond, the project team used the one-of-a-kind concept design from Miller Company Landscape Architects to reinvent the playground into a revolutionary play space for all kids and generations to come; now, therefore, be it

RESOLVED, That the City and County of San Francisco celebrates the grand reopening of Lafayette Park on June 8th, 2013; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors commends the San Francisco Recreation and Park Department, the Department of Public Works, the Friends of Lafayette Park, the San Francisco Parks Alliance, the Pacific Heights Residents Association, Bauman Landscape Construction, the Miller Company Landscape Architects, and the entire project team that made this project so successful for their dedication and hard work to preserving and improving open space in San Francisco and to contributing to make our city home to the best urban park system in the country.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130498 **Date Passed:** June 04, 2013

Resolution recognizing the grand reopening of the Lafayette Park and commending the Recreation and Park Department, Department of Public Works, Friends of Lafayette Park, and the entire project team, for their hard work and commitment to San Francisco's parks and its residents.

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130498

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

6/13/2013
Date Approved

Date: June 13, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130498

AMENDED IN COMMITTEE
6/5/13

FILE NO. 121186 RESOLUTION NO. 182-13

[Feeder Agreement - BART]

Resolution retroactively approving the Feeder Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District for payment for transfer trips, with a term from July 1, 2010, to June 30, 2020.

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) and the San Francisco Bay Area Rapid Transit District (BART) provide an integrated transit network in San Francisco; and

WHEREAS, The SFMTA provides extensive transit services to BART stations, allowing customers to use transit to reach locations away from BART stations; and

WHEREAS, BART pays a lump sum to the SFMTA for the provision of feeder bus and rail services to BART stations under the Feeder Agreement based on the percentage change in sales tax revenues BART collected during the two previous years; and

WHEREAS, In 2011 the SFMTA Board of Directors and the San Francisco Board of Supervisors approved a feeder payment from BART to the SFMTA for fiscal year 2010 based on a sales tax methodology and asked future payments to be based on a ridership methodology; and

WHEREAS, Specifically, in Board of Supervisors Resolution No. 348-11, adopted August 2, 2011, the Board approved the fiscal year 2010 payment with the following requests: (1) That the SFMTA present the renegotiated Fast Pass reimbursement agreement with BART and the Fiscal Year 2011 and 2012 Feeder Agreements with BART to the Board for approval at the same time; (2) that the SFMTA and BART negotiate the methodology for the FY 2011 and FY 2012 Feeder Agreements to provide a clear nexus between the actual number of transfer trips between BART and Muni and the related Feeder Agreement payment

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by BART to the SFMTA; (3) and that the SFMTA and BART renegotiate a retroactive amount for the FY 2010 Feeder Agreement payment based on the new methodology developed for FY 2011; further, the Board declared its intent to condition its approval of any future Feeder Agreement on inclusion of a provision for a retroactive payment to the SFMTA for FY 2010; and

WHEREAS, The Clipper electronic data for fiscal year 2010 did not accurately reflect feeder ridership counts because both BART and Muni patrons were transitioning to Clipper from paper fare media; therefore, the parties could not apply the new methodology to fiscal year 2010; and

WHEREAS, The SFMTA and BART have negotiated a new Feeder Agreement and are proposing that feeder payments for fiscal years 2011 through 2012 increase by 0.5% over the previous respective fiscal years in the amounts of $2,654,357 for FY 2011 and $2,667,629 for FY 2012; and

WHEREAS, For fiscal years 2013 through 2020, the SFMTA and BART are proposing to adjust Feeder Agreement payments annually based on the San Francisco Bay Area Consumer Price Index (CPI) and the percentage change of Muni feeder ridership to BART stations using the Clipper® Card, with a maximum 5 percent increase or decrease in payments in any given year; and

WHEREAS, On November 20, 2012, the SFMTA Board of Directors adopted Resolution No. 12-142, approving the Agreement between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District for Payment of Transfer Trips (Feeder Agreement), with a term from July 1, 2010 to June 30, 2020, based on the terms outlined above; and,

WHEREAS, A copy of the Agreement is on file with the Clerk of the Board of Supervisors in File No.121186, which is hereby declared to be a part of this motion as if set forth fully herein; now, therefore, be it

RESOLVED, That the Board of Supervisors retroactively approves the Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District for Payment for Transfer Trips (Feeder Agreement) between the City and BART, with a term from July 1, 2010 to June 30, 2020.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121186 **Date Passed:** June 11, 2013

Resolution retroactively approving the Feeder Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District for payment for transfer trips, with a term from July 1, 2010, to June 30, 2020.

January 30, 2013 Budget and Finance Committee - CONTINUED TO CALL OF THE CHAIR

June 05, 2013 Budget and Finance Committee - AMENDED

June 05, 2013 Budget and Finance Committee - RECOMMENDED AS AMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 121186

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

AMENDED IN COMMITTEE
1/30/12

FILE NO. 121187 RESOLUTION NO. 183-13

[Agreement - Use of Fast Pass on BART]

Resolution retroactively approving the Special Transit Fare (Fast Pass) Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District, with a term from January 1, 2010, to June 30, 2014.

WHEREAS, SFMTA Adult Fast Pass users make approximately 8.8 million trips on BART within San Francisco each year under the Special Transit Fare (Fast Pass) Agreement ("Agreement") between the City and County of San Francisco (City) and the San Francisco Bay Area Rapid Transit District (BART), which expired on December 31, 2009; and

WHEREAS, Current payments from the SFMTA to BART are estimated at $9.0 million per year based on current ridership volumes and a $1.02 per trip reimbursement rate; and

WHEREAS, In 2003, the BART Board adopted a Productivity-Adjusted Consumer Price Index (CPI) Based Fare Rates and Charges policy that specified a formula for adjusting fares bi-annually based on the inflation rate less ½ percent for productivity improvements; and

WHEREAS, BART advanced its most recent bi-annual fare increase six months, increased its intra-San Francisco fare 17 percent from $1.50 to $1.75 on July 1, 2009, and has requested a corresponding increase in the Adult Fast Pass reimbursement rate from $1.02 to $1.19 per trip retroactive to January 1, 2010; and

WHEREAS, Commencing July 1, 2012, a subsequent reimbursement rate increase from $1.19 to $1.21 per trip, based on BART's Productivity-Adjusted Consumer Price Index (CPI) Based Fare Rates and Charges policy, became effective for intra-San Francisco trips on BART; and

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WHEREAS, SFMTA and BART have negotiated an agreement reflecting the foregoing rate increases, including a $10,500,000 million cap on the annual reimbursement rate; which agreement is on file with the Clerk of the Board of Supervisors in File No. 121187, and is hereby declared to be a part of this motion as if set forth fully herein; and,

WHEREAS, On November 20, 2012, the SFMTA Board of Directors adopted Resolution No. 12-143, which authorized the Director of Transportation to execute the Special Transit Fare (Fast Pass®) Agreement between the City and BART, with a term from January 1, 2010 to June 30, 2014, subject to approval from the Board of Supervisors of this Agreement and a separate Feeder Agreement; now, therefore, be it

RESOLVED, That the Board of Supervisors retroactively approves the Special Transit Fare (Fast Pass) Agreement between the City and BART, with a term from January 1, 2010, to June 30, 2014.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121187 **Date Passed:** June 11, 2013

Resolution retroactively approving the Special Transit Fare (Fast Pass®) Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District, with a term from January 1, 2010, to June 30, 2014.

January 30, 2013 Budget and Finance Committee - AMENDED

January 30, 2013 Budget and Finance Committee - CONTINUED TO CALL OF THE CHAIR AS AMENDED

June 05, 2013 Budget and Finance Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 121187

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

FILE NO. 130255 RESOLUTION NO. 184-13

[Urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to Ensure the Coordination of Street, Transit, and Utility Infrastructure]

Resolution urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to develop a clear policy for reviewing street improvement projects that overlap the jurisdiction of various agencies and for those agencies to expeditiously modernize codes, standards, regulations, and other guidelines to ensure that the City's collective public policy interests are advanced.

WHEREAS, San Francisco is a Transit First City with various polices, initiatives, and implementation projects aimed at enhancing the City's transportation system including pedestrian and bicycle safety; and

WHEREAS, The Better Streets Plan establishes guidelines and standards to ensure that new streets and redesigned streets approved by the City provide universal access that, among other things, advance pedestrian and bicycle safety; and

WHEREAS, MTA, DPW, and the SFPUC have geographically overlapping jurisdiction over the right of way and portions thereof; and

WHEREAS, Improvements aimed at enhancing transit efficiency, pedestrian and bicycle safety, storm drainage control, sewage collection, water distribution and other related activities often overlap, and at times may affect or conflict with another department's facilities; and

WHEREAS, Working collaboratively to develop projects located within public rights of way to achieve multiple purposes will assist in meeting the objectives and fulfilling the mission of each department and the City; and

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WHEREAS, The essence of meaningful interdepartmental collaboration involves effective communication between the departments regarding plans for and implementation of their responsibilities; and

WHEREAS, Project level coordination and communication frequently provides the means for effectively resolving spatial conflicts and identifying potential policy agreements; and

WHEREAS. Collaboration between the departments on the development of important public facilities located in public rights of way would be enhanced by the promulgation and consistent application of publically accessible state of the art specifications for the construction and operation of utility systems, drainage controls, transit facilities, streets, curbs, sidewalks, bikeways, pedestrian safety features and other such infrastructure located in public rights of way and that the greatest need for new specifications relates to situations where conflicts, or potential conflicts, between departments may arise; and

WHEREAS, Specifically, the Subdivision Code and its regulations can unnecessarily inhibit the development of important pedestrian and bicycle safety projects and there is lack of clarity as to when the subdivision code applies; and

WHEREAS, Specifically, the placement of sidewalk furniture and sidewalk utility infrastructure such as telecommunication boxes, traffic signal boxes, transit shelters, and news racks narrow the usable sidewalk area for pedestrians and in some cases produce pedestrian visibility concerns; and

WHEREAS, Specifically, pedestrian safety bulbouts are sometimes made prohibitively expensive when requirements to relocate subsurface infrastructure is mandated, whether or not that relocation is critical; now, therefore be it

RESOLVED, That the Board of Supervisors urges the General Manager of the SFPUC, the Transportation Director of the MTA, the Director of DPW and the Director of the Planning

Department to develop and execute a suitable agreement within 60 days memorializing their commitment to collaboratively develop high performing facilities in public rights of way that accommodate all of the important and essential interests of the public, including pedestrian and bicycle safety, in the successful implementation and operation of such facilities with the explicit understanding that long standing practices, standards and other inter-departmental review procedures may need to be modified; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the SFPUC, MTA, DPW and Planning Department to develop and document, within 6 months, publically accessible specifications or standards for the construction and operation of each department's facilities located in public rights of way that have the potential to overlap or conflict with other department facilities, such as, but not limited to, sidewalk widening, bulb outs, medians and traffic circles with the explicit understanding that a principal goal shall be to ensure that the City's policy interests regarding pedestrian and bike safety and delivery and conveyance of essential services such as water and wastewater are met; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the SFPUC, MTA, DPW, and Planning Department to develop a straight-forward and expeditious approach for the review of proposals that seek a variance from any standards, policies, or other regulatory provisions; and, be it

FURTHER RESOLVED, That the SFPUC apply the subdivision regulations and any specifications contained within such regulations only to streets contained entirely within a subdivision; and, be it

FURTHER RESOLVED, That the MTA, DPW, and Planning Department coordinate the placement of sidewalk furniture and sidewalk utility infrastructure to ensure minimal disruption of pedestrian circulation and visibility; and, be it

FURTHER RESOLVED, That the SFPUC develop a clear and comprehensive policy regarding the need to relocate subsurface infrastructure when a bulbout or sidewalk widening project is proposed with the understanding that the goal is to minimize the requirement for relocation; and, be it

FURTHER RESOLVED, That the Departments named herein shall report quarterly to the Board of Supervisors on their progress.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130255 **Date Passed:** June 11, 2013

Resolution urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to develop a clear policy for reviewing street improvement projects that overlap the jurisdiction of various agencies and for those agencies to expeditiously modernize codes, standards, regulations, and other guidelines to ensure that the City's collective public policy interests are advanced.

June 03, 2013 Land Use and Economic Development Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130255

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

6/21/13
Date Approved

Date: June 21, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130255

FILE NO. 130256 RESOLUTION NO. 185-13

[Urging the California State Legislature to Adopt Legislation Allowing Local Jurisdictions Greater Flexibility to Amend the Fire Code]

Resolution urging the California State Legislature to adopt legislation allowing local jurisdictions flexibility to amend local fire code street width standards in order to maximize pedestrian and bicyclist safety goals.

WHEREAS, San Francisco is a dense, built out urban environment; and

WHEREAS, Pedestrian and bicyclist injuries and fatalities are an epidemic on the city's streets; and

WHEREAS, Poor street design, including wide avenues and thoroughfares that induce high vehicular speed, is partly responsible for San Francisco's high pedestrian and bicyclist injury rates; and

WHEREAS, Narrower streets reduce the exposure of pedestrians crossing the street, which is especially important for seniors and the disabled; and

WHEREAS, San Francisco is a Transit First City with various polices, initiatives, and implementation projects aimed at enhancing pedestrian and bicycle safety; and

WHEREAS, Maximizing life safety for all, including pedestrians, cyclists, and residents in their homes and businesses is a top policy priority for the City; and

WHEREAS, The State Fire Code elevates the life safety concerns of those in buildings over those walking or riding on our public streets; and

WHEREAS, The State Fire Code, adopted by reference in San Francisco, establishes a minimum 20 feet of unobstructed street width on all streets; and

WHEREAS, Many of San Francisco's existing streets do not meet this standard; and

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WHEREAS, Certain street safety improvements can be made that reduce street width to less than 20 feet without precluding emergency vehicle access; and

WHEREAS, Any attempt to implement pedestrian and bicyclist safety enhancements that reduce street width to less than 20 feet is non-compliant with the State Fire Code; and

WHEREAS, The State Fire Code precludes local jurisdictions from balancing conflicting needs in order to maximize life safety for all; now, therefore, be it

RESOLVED, That the Board of Supervisors urges the California State legislature to adopt legislation to allow local jurisdictions to reduce the minimum street width standard in their local fire code.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130256 **Date Passed:** June 11, 2013

Resolution urging the California State Legislature to adopt legislation allowing local jurisdictions flexibility to amend local fire code street width standards in order to maximize pedestrian and bicyclist safety goals.

June 03, 2013 Land Use and Economic Development Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130256

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

6/21/13
Date Approved

Date: June 21, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130256

FILE NO. 130362 RESOLUTION NO. 186-13

[Lease Extension Agreement - 711 Van Ness Avenue - Emergency Management and Assessor-Recorder - 14.5 Months for $17,996.67 Per Month]

Resolution authorizing a 14.5 month extension of the Lease with SFOC, LLC, of 9,800 sq. ft. at 711 Van Ness Avenue, for a total lease term of thirty-five months, for the Department of Emergency Management and the Office of the Assessor-Recorder for the period of April 14, 2014, through June 30, 2015.

WHEREAS, The Department of Emergency Management (DEM) office lease at 10 Lombard Street expired on July 15, 2012 and DEM needed to vacate the property on or before that date; and

WHEREAS, The space for the Office of the Assessor-Recorder (Assessor's Office) at City Hall were not sufficient to address interim space demands from program growth; and

WHEREAS, Both DEM and the Assessor's Office had an immediate need of short-term office space in the Civic Center area; and

WHEREAS, DEM and the Assessor's Office, with the Real Estate Division's assistance, determined that a suite within 711 Van Ness Avenue was the best site then available; and

WHEREAS, The Board of Supervisors passed and the Mayor signed Resolution 277-12, on file with the Clerk of the Board of Supervisors in File No. 120675; and

WHEREAS, Resolution 277-12 authorized the Director of Real Estate to take all actions, each on behalf of the City and County of San Francisco, as tenant, to execute a lease and other related documents with SFOC, LLC, ("Landlord"), in the building commonly known as 711 Van Ness Avenue, San Francisco, California, for the Premises which comprise an area of approximately 9,800 square feet, (known as "Suite 400"), on the terms and conditions

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contained in the lease ("Lease"), a copy of which is on file with the Clerk of the Board of Supervisors in File No.120675; and

WHEREAS, DEM has a desire and need to extend the current Lease on the same terms and conditions until June 30, 2015, in order to have the Lease termination coincide with its funding cycle; and

WHEREAS, The Assessor's Office has a need to extend the current Lease on the same terms and conditions until June 30, 2015, to address interim space demands from program growth; now, therefore, be it

RESOLVED, That the Director of Real Estate is hereby authorized to take all actions, each on behalf of the City and County of San Francisco, as tenant, to execute the Lease Extension Agreement and other related documents with SFOC, LLC,("Landlord"), at 711 Van Ness Avenue, Suite 400, San Francisco, California, for the Premises on the terms and conditions contained in the Lease Extension Agreement (a copy of which is on file with the Clerk of the Board of Supervisors in File No. 130362); and, be it

FURTHER RESOLVED, That the Lease shall be for a term of thirty-five (35) months commencing upon August 1, 2012. The Lease shall be at a base rent of $17,966.67 per month ($22.00 per square foot per year) and shall be fully serviced. The base rent will not increase during the term of the Lease or the Lease Extension Agreement. The City shall only pay for parking ($1,200.00 per month) and any utility usage costs above those of a typical tenant; and, be it

FURTHER RESOLVED, That the Lease shall include the lease clause indemnifying and holding harmless the Landlord, from and agreeing to defend the Landlord against any and all claims, costs and expenses, including, without limitation, reasonable attorney's fees, incurred as a result of City's use of the premises, any default by the City in the performance of any of its obligations under the lease or any acts or omissions of

City or its agents, in, on or about the premises or the property on which the premises are located, excluding those claims, costs and expenses incurred as a result of the negligence or willful misconduct of Landlord or its agents; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to such lease extension are hereby approved, confirmed and ratified; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Real Estate to enter into any amendments or modifications to the Lease or Lease Extension Agreement (including without limitation, the exhibits) that the Director of Real Estate determines, in consultation with the City Attorney, are in the best interest of the City, do not increase the rent or otherwise materially increase the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of the Lease and/or Lease Extension Agreement or this resolution, and are in compliance with all applicable laws, including City's Charter; and, be it

FURTHER RESOLVED, That the City shall occupy the entire Premises for the full term of the lease unless funds for rental payments are not appropriated in any subsequent fiscal year. Said lease shall be subject to certification as to funds by the Controller, pursuant to Section 3.105 of the Charter.

$ _____ Available

Index Code: _____

$ _____ Available

Index Code: _____

_____

Controller

* Subject to available funds in the FY 2013-2014 appropriation ordinance.

RECOMMENDED:

_____

John Updike
Director of Real Estate

RECOMMENDED:

OFFICE OF THE
ASSESSOR-RECORDER

_____

Carmen Chu
Assessor-Recorder

RECOMMENDED:

DEPARTMENT OF EMERGENCY MANAGEMENT

_____

Anne Kronenberg
Executive Director

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130362 **Date Passed:** June 11, 2013

Resolution authorizing a 14.5 month extension of the Lease with SFOC, LLC, of 9,800 sq. ft. at 711 Van Ness Avenue, for a total lease term of 35 months with a base rent of $17,966.67 per month, for the Department of Emergency Management and the Office of the Assessor-Recorder for the period of April 14, 2014, through June 30, 2015.

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130362

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

FILE NO. 130393 RESOLUTION NO. 187-13

[Professional Services Agreement - Parsons Transportation Group, Inc., The Allen Group, LLC, and EPC Consultants, Inc. - Program Management Support Services for the Terminal 1/Boarding Area B Redevelopment Program – Not to Exceed $32,000,000]

Resolution approving Professional Services Agreement, Airport Contract 9185.9, Program Management Support Services for the San Francisco International Airport, Terminal 1/Boarding Area B Redevelopment Program between T1 Partners, a Joint Venture of Parsons Transportation Group, Inc., The Allen Group, LLC, and EPC Consultants, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in the not to exceed amount of $4,453,178 for the first year of services; this is a multi-year, multi-phased program with an estimated total contract value in the not to exceed amount of $32,000,000 for a term of up to 1,095 days, pursuant to Charter, Section 9.118(b).

WHEREAS, The Airport Commission authorized the issuance of a Request for Proposals (RFP) for Professional Services for Program Support Services for the Terminal 1/Boarding Area B Redevelopment Program project; and

WHEREAS, The Airport received four qualifying proposals in response to the RFP; and

WHEREAS, Airport staff performed standardized reference checks of former clients for firms and key personnel submitted by the respondents; and

WHEREAS, A five-member selection panel evaluated the written proposals of each firm, and scored the firms in accordance with the criteria contained in the RFP; and

WHEREAS, The RFP stipulated that following the evaluation of the written proposals and reference checks, up to five respondents receiving the highest combined scores would be invited to an oral interview; and

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WHEREAS, The Selection Panel interviewed the four respondents including key personnel from each firm, appraised their qualifications, and scored the firms, with T1 Partners, Joint Venture receiving the highest combined score for the proposal, reference checks and interview; and

WHEREAS, Staff negotiated the business terms of the Professional Services Agreement (PSA) with T1 Partners, Joint Venture, including scope, staffing, billing rates and fee, for an initial amount for the first year of services in the time and material amount not-to-exceed of $4,452,178; and

WHEREAS, On April 16, 2013, pursuant to Resolution No. 13-0087, the Airport Commission awarded the PSA to T1 Partners, Joint Venture in the not-to exceed amount of $4,452,178 for the first year of services; and

WHEREAS, The Airport anticipates the contract duration to be over ten (10) years to provide for full program support services for the Terminal 1/Boarding Area B Redevelopment Program; and

WHEREAS, San Francisco Charter Section 9.118(b) provides that the agreements entered into by a department, Board or Commission requiring anticipated expenditures by the City and County of ten million dollars, shall be subject to approval by the Board of Supervisors by resolution; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the Professional Services Agreement for Airport Contract 9185.9, Program Management Support Services for the Terminal 1/Boarding Area B Redevelopment Program between T1 Partners, a Joint Venture and the City and County of San Francisco, acting by and through its Airport Commission, for a term of up to 1,095 days with an anticipated final contract value not-to-exceed $32,000,000, copies of which are contained in Board of Supervisors' File Number 130393.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130393 **Date Passed:** June 11, 2013

Resolution approving Professional Services Agreement, Airport Contract 9185.9, Program Management Support Services for the San Francisco International Airport, Terminal 1/Boarding Area B Redevelopment Program between T1 Partners, a Joint Venture of Parsons Transportation Group, Inc., The Allen Group, LLC, and EPC Consultants, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in the not to exceed amount of $4,453,178 for the first year of services; this is a multi-year, multi-phased program with an estimated total contract value in the not to exceed amount of $32,000,000 pursuant to Charter, Section 9.118(b).

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130393

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/12/13
Date Approved

FILE NO. 130404 RESOLUTION NO. 188-13

[Agreements - Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring - 14-Year Terms - Not to Exceed $5,000,000 Each]

Resolution authorizing the General Manager of the Public Utilities Commission to execute Agreements with CDM Smith/ATS, a Joint Venture (CS-211A); ICF+Avila, a Joint Venture (CS-211B); Shaw Environmental and Infrastructure, Inc. (CS-211C); and URS Corporation (CS-211D) for Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring, each with an agreement amount not to exceed $5,000,000, and each with a term not to exceed (14) years, pursuant to Charter, Section 9.118(b).

WHEREAS, The Public Utilities Commission (PUC) issued a Request for Proposals (RFP) for Specialized and Technical Services on February 8, 2013, in which it sought up to four qualified firms to perform specialized natural resources management and monitoring technical services for the Water Enterprise; and

WHEREAS, CDM Smith/ATS, a Joint Venture, ICF+Avila, a Joint Venture, Shaw Environmental and Infrastructure, Inc., and URS Corporation were identified as the four highest-ranking firms based on the RFP process; and

WHEREAS, The Water Enterprise is responsible for watershed and right-of-way lands management and requires technical support for specialized monitoring of natural resources and water quality associated with these responsibilities; and

WHEREAS, The PUC water supply system and watershed and rights-of-way lands are operated and maintained under various state and federal environmental regulatory permit conditions; and

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WHEREAS, This Board and the PUC approved the Water System Improvement Program (WSIP) regional projects, including environmental mitigation measures, such as habitat restoration for endangered species, for which specialized monitoring is required to satisfy state and federal regulatory agency permits; and

WHEREAS, WSIP regulatory agency permits require monitoring for ten years and the last mitigation site, implemented in 2016, will commence ten years of monitoring in 2017; and

WHEREAS, The PUC anticipates the contract term for each agreement will be approximately fourteen (14) years to accommodate monitoring of the WSIP mitigation obligations as described in the WSIP project regulatory agency permits, and to support other similar long term natural resource mitigation and monitoring obligations; and,

WHEREAS, WSIP monitoring obligations have commenced at some mitigation sites and all monitoring obligations will have commenced by 2017; and

WHEREAS, Many of these WSIP monitoring and maintenance mitigation obligations are in perpetuity, as required by the regulatory agency permits, and additional aspects of these obligations will be brought to the PUC and the Board for review and consideration in the future (e.g. perpetual conservation easements); and

WHEREAS, Charter Section 9.118(b) requires Board approval by resolution of contracts with terms anticipated to exceed ten (10) years; and

WHEREAS, On April 9, 2013, by Resolution No. 13-0053, the PUC approved the selection of and authorized the General Manager of the PUC to negotiate and execute the four professional services agreements each with a not-to-exceed amount of $5,000,000 and each with a term not-to-exceed 14 years, subject to Board approval, under Charter Section 9.118, of Water Enterprise-funded Agreement Nos. CS-211A-D,

Specialized and Technical Services to: CDM/Smith/ATS, a Joint Venture (CS-211A); ICF+Avila, a Joint Venture (CS-211B); Shaw Environmental and Infrastructure, Inc. (CS-211C); and URS Corporation (CS-211D); now, therefore, be it

RESOLVED, That the Board of Supervisors authorizes the General Manager of the PUC to enter into an agreement with CDM Smith/ATS, a Joint Venture (CS-211A) in substantially the form of agreement on file with the Clerk of the Board of Supervisors in File No. 130404 with a term of fourteen (14) years commencing in 2013 and concluding in 2027; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the General Manager of the PUC to enter into an agreement with ICF+Avila, a Joint Venture (CS-211B) in substantially the form of agreement on file with the Clerk of the Board of Supervisors in File No. 130404 with a term of fourteen (14) years commencing in 2013 and concluding in 2027; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the General Manager of the PUC to enter into an agreement with Shaw Environmental and Infrastructure, Inc. (CS-211C) in substantially the form of agreement on file with the Clerk of the Board of Supervisors in File No. 130404 with a term of fourteen (14) years commencing in 2013 and concluding in 2027 ; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the General Manager of the PUC to enter into an agreement with URS Corporation (CS-211D) in substantially the form of agreement on file with the Clerk of the Board of Supervisors in File No. 130404 with a term of fourteen (14) years commencing in 2013 and concluding in 2027.

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130404 **Date Passed:** June 11, 2013

Resolution authorizing the General Manager of the Public Utilities Commission to execute Agreements with CDM Smith/ATS, a Joint Venture (CS-211A); ICF+Avila, a Joint Venture (CS-211B); Shaw Environmental and Infrastructure, Inc. (CS-211C); and URS Corporation (CS-211D) for Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring, each with an agreement amount not to exceed $5,000,000 and each with a term not to exceed 14 years pursuant to Charter, Section 9.118(b).

June 05, 2013 Budget and Finance Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130404

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

6/21/13
Date Approved

Date: June 21, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

File No.
130404

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FILE NO. 130425 RESOLUTION NO. 189-13

[Accept and Expend Grant - Friends of San Francisco Public Library - Up to $750,000]

Resolution authorizing the Department of Public Library to retroactively accept and expend a grant in the amount of up to $750,000 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services for the period of July 1, 2012, through June 30, 2013.

WHEREAS, The Friends of the San Francisco Public Library (Friends) is a non-profit organization that advocates, fundraises, and provides critical support for the San Francisco Public Library and related literary and educational programs; and

WHEREAS, the Public Library submits proposals annually to the Friends for public programs and services; and

WHEREAS, The types of programs and services supported by these grants include Youth Programs, Adult Programs, Collections, Staff Development, Marketing and Public Relations, and Innovation Programs; and

WHEREAS, The Friends' grant funds support programs and services that reached more than 232,500 patrons in FY2011-2012; and

WHEREAS, Highlights of the FY2011-2012 program year included Summer Read SF, School-Aged Programming Kits, Webcams for the Deaf Services Center, and Teen Center Planning Project Support for the Main Library; and

WHEREAS, The Department proposes to maximize use of available grant funds on program expenditures by not including indirect costs in the grant budget; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and, be it

FURTHER RESOLVED, That the Public Library is authorized to retroactively accept and expend up to $750,000 of in-kind gifts, services, and cash monies awarded by the

Friends of San Francisco Public Library to support Library programs and services and related literary and educational programs.

Recommended:

Department Head

Approved: _____

Mayor

Approved: _____

Controller

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130425 **Date Passed:** June 11, 2013

Resolution authorizing the Department of Public Library to retroactively accept and expend a grant in the amount of up to $750,000 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services for the period of July 1, 2012, through June 30, 2013.

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130425

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

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JUL 29 2013

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FILE NO. 130427 RESOLUTION NO. 190-13

[New Market Tax Credit Program - Continuation]

Resolution approving the continuation of the New Market Tax Credit program established by the former Redevelopment Agency of the City and County of San Francisco, revisions to the Bylaws of the San Francisco Community Investment Fund, and contributions of City staff under a Cooperative Agreement, and authorizing the San Francisco Community Investment Fund to enter into contracts to implement New Market Tax Credit program at no cost to the City's General Fund.

WHEREAS, In February 2010, the Redevelopment Agency of the City and County of San Francisco (the "Agency"), working with the City's Office of Economic and Workforce Development ("OEWD"), formed the San Francisco Community Investment Fund, a California nonprofit public benefit corporation ("SFCIF"), as a community development entity to apply for new market tax credit ("NMTC") allocations from the U.S. Treasury; and

WHEREAS, The NMTC program (U.S. Internal Revenue Code section 45D et. seq.) was designed to attract investors into underserved communities and to provide private capital investment into projects that may not otherwise be completed; and

WHEREAS, The SFCIF applied for and received a $35 million allocation of NMTC from the Community Development Financial Institution Fund of the U.S. Treasury in the 2010 allocation round, which tax credits must be applied to eligible projects before September 30, 2013, if at all, and a $45 million allocation of NMTC in the 2011 allocation round, which tax credits must be applied to eligible projects before September 30, 2014; and

WHEREAS, Under the NMTC program, SFCIF or its subsidiary Community Development Entities receive private capital investments and use these funds for qualified

projects benefitting low-income communities, and the investors in return receive federal tax credits spread out over a 7 year tax credit period; and

WHEREAS, NMTCs are used to offset amounts that would otherwise be due and owing to the federal government, and do not affect or limit any taxes payable to the State of California or the City and County of San Francisco; and

WHEREAS, SFCIF completed its first NMTC transaction in June 2011, investing an approximately $8.7 million NMTC allocation for the rehabilitation of a building for College Track, a tutoring facility for disadvantaged youth, and its second transaction in October 2011 investing an approximately $15 million NMTC allocation for the SF Jazz building located at 205 Franklin Street (the "SFJazz Project"); and

WHEREAS, Under Assembly Bill No. 1X 26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session) ("AB 26") and Assembly Bill No. 1484 (Chapter 26, Statutes of 2011-12, Regular Session) ("AB 1484", together with AB 26, the "Dissolution Law"), redevelopment agencies in the State, including the Agency, were first suspended from taking certain activities and then subsequently dissolved by operation of law; and

WHEREAS, During the period of the Agency's suspension, this Board approved the City's execution of an indemnity agreement, that previously would have been executed by the Agency, to allow the SFJazz Project to proceed with the SFCIF's NMTC allocation; and

WHEREAS, Under Board of Supervisor Resolution No. 11-12, the Board of Supervisors accepted all of the Agency's housing and non-housing assets, and gave the Director of Administrative Services the right and power to manage all Agency assets and to exercise all functions that the Agency previously performed with respect to those assets. Under Board of Supervisor Ordinance No. 215-12, adopted after the modifications made in AB 1484, the Board of Supervisors recognized the new successor agency to the Agency (the "Successor Agency") as a separate legal entity, delegated to the Successor Agency the

authority to implement the surviving redevelopment projects, and confirmed the transfer of all of the housing assets to the City under the jurisdiction of the Mayor's Office of Housing. The Board also ratified all prior acts of the staffs of the Successor Agency, the Department of Administrative Services, and other City employees with respect to the surviving redevelopment projects and other enforceable obligations; and

WHEREAS, The functions performed by the Agency under the NMTC program cannot remain with the Agency under the Dissolution Law, and City staff and personnel have, consistent with Board of Supervisor Resolution No. 11-12, continued to advance the NMTC program for the benefit of underserved communities; and

WHEREAS, The SFCIF Board currently consists of City staff from the Controller's Office, the Office of Economic and Workforce Development, and the City Administrator's Office; and

WHEREAS, In keeping with applicable law, the SFCIF Board has an advisory board consisting of community representatives who live in low-income communities, work for nonprofit organizations and service providers serving low-income communities in San Francisco, or otherwise represent low-income communities. The function of the Advisory Board is to (i) advise the SFCIF on the community benefits and impacts from projects the SFCIF is considering funding in a manner consistent with its Economic and Social Impact Policy, and (ii) advise the SFCIF on the fulfillment of community benefits and impacts of funded projects periodically; and

WHEREAS, The Economic and Social Impact Policy of the SFCIF, a copy of which is on file with the Clerk of the Board in File No. 130427, details the five focus areas and related objectives of the SFCIF: 1) Economic Development; 2) Community and Social Development; 3) Job Creation and Wealth Creation; 4) Investment Diversification and Partnership Development; and 5) Environmental Sustainability; and

WHEREAS, The bylaws of the SFCIF have been revised to delete all references to the Redevelopment Agency and to instead insert the City and County of San Francisco, a copy of which is on file with the Clerk of the Board in File No. 130427 (the "Bylaws"); and

WHEREAS, The Agency entered into a cooperative agreement with the SFCIF to provide an upfront loan as well as to dedicate certain staff resources for the operation of the SFCIF, all of which were to be repaid by the SFCIF; and

WHEREAS, The City, acting through the City Administrator, has prepared a similar cooperative agreement with the SFCIF, a copy of which is on file with the Clerk of the Board in File No. 130427 (the "Cooperative Agreement"), to aid the SFCIF in fulfilling its mission to apply for NMTC allocations and to make qualified low-income community investments in projects, and to provide necessary City staff (but not funds) on an as needed basis, the costs of which will be reimbursed by the SFCIF; and

WHEREAS, The SFCIF has a remaining NMTC allocation of $56.3 million, and the SFCIF Board and the SFCIF Advisory Board have approved reservations of this allocation for four projects that are in concert with the Economic and Social Impact Policy: (1) the Boys and Girls Club at 380 Fulton Street, (2) the San Francisco Produce Market at 901 Rankin Street, (3) the A.C.T./Strand Theater at 1127 Market Street, and (4) the Renoir Hotel Project at 1100 Market Street. The Boys and Girls Club, the San Francisco Produce Market, and the A.C.T./Strand Theater were described in the SFCIF 2011 application for NMTC allocation to the CDFI and the Renoir Hotel project was identified through the Central Market Revitalization Strategy; now, therefore, be it

RESOLVED, The Board of Supervisors approves the Bylaws and the Cooperative Agreement and the continuation of the SFCIF's NMTC program activities, including applying for and, if awarded, competitively selecting future NMTC recipients, and authorizes City staff

to continue to work with the SFCIF on the NMTC program consistent with the Economic and Social Impact Policy and this Resolution; and, be it

FURTHER RESOLVED, The Board of Supervisors authorizes the SFCIF to enter into contracts and ancillary documents, generally consistent with the College Track and SFJazz Projects and at no cost to the City's General Fund, to effectuate the SFCIF's NMTC projects; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to the SFCIF and the NMTC projects are hereby approved and ratified.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130427 **Date Passed:** June 11, 2013

Resolution approving the continuation of the New Market Tax Credit Program, established by the former Redevelopment Agency of the City and County of San Francisco, revisions to the Bylaws of the San Francisco Community Investment Fund, and contributions of City staff under a Cooperative Agreement, and authorizing the San Francisco Community Investment Fund to enter into contracts to implement New Market Tax Credit Program at no cost to the City's General Fund.

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130427

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

AMENDED IN COMMITTEE
6/5/13

FILE NO. 130466 RESOLUTION NO. 191-13

[Real Property Lease - 1145 Market Street - Health Service System - $743,280 Annually]

Resolution authorizing a 10 year Lease of 19,560 sq. ft. at 1145 Market Street for office space for the Health Service System from 1145 Market Street LP, for an initial annual rent of $743,280.

WHEREAS, The City, for the Department of Human Resources, entered into a lease of approximately 18,254 square feet of office space at 1145 Market Street on the second and seventh floors, which commenced on February 14, 1997; and

WHEREAS, By a first Amendment to Lease, authorized by the Board of Supervisors, the Lease was extended to December 31, 2006 and the premises reduced to approximately 13,576 square feet on the second floor only; and

WHEREAS, On July 1, 2005, the Health Service System ("HSS") was separated from the Department of Human Resources and became a City Department; and

WHEREAS, By a second Amendment to Lease, authorized by the Board of Supervisors, the Lease was extended to March 31, 2012; and

WHEREAS, The Lease for HSS at 1145 Market Street expired on March 31, 2012 and is holding over on a month to month basis at the current rate; and

WHEREAS, After exploring the costs and rental rates at alternative sites, HSS desires to remain at 1145 Market Street and lease additional space to incorporate the Wellness Center into their lease premises; and

WHEREAS, The Director of Property has negotiated a new lease for a term of approximately 10 years commencing upon Substantial Completion of Tenant Improvement (anticipated Commencement Date of September 1, 2013) and Terminating on August 31,

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2023, (a copy of the proposed Lease is on file with the Clerk of the Board in File No. 130466; the "Lease "); and

WHEREAS, The Director of Property has determined that the proposed rental rate for the ten (10) year term as set forth in the Lease is equal to or less than fair market rent for the Premises; now, therefore, be it

RESOLVED, That in accordance with the recommendation of the City Attorney and the Director of Property, the Board approves the Lease in substantially the form in the Board's File and authorizes the Director of Property to execute and deliver the Lease, and authorizes City staff to take all actions, on behalf of the City, to perform its obligations and exercise its rights under the Lease; and, be it

FURTHER RESOLVED, As set forth in the Lease: (i) the Lease shall terminate ten (10) years after Substantial Completion of the Tenant Improvements (anticipated Commencement Date of September 1, 2013 and Termination Date of August 31, 2023); (ii) the initial annual rent (net of electricity) for the period from September 1, 2013 to August 31, 2014 shall be $743,280 (approximately $38.00 per square foot per year); (iii) the base rent shall increase at a rate of 3% annually; (iv) City shall retain an early Lease Termination Right exercisable by City after 7.5 years; and (v) the City shall be entitled to a Tenant allowance not to exceed $53.00 per square foot; and, be it

FURTHER RESOLVED, As set forth in the Lease, the City shall pay for its prorata share of operating expenses over a 2013 base year and for other typical tenant expenses; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the offices of the City with respect to the Lease are hereby approved, confirmed and ratified; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to enter into any amendments or modifications to the Lease (including without

limitation, the exhibits) that the Director of Property determines, in consultation with the City Attorney, are in the best interest of the City, do not materially increase the obligations or liabilities of the City, do not materially decrease the benefits to the City, or are necessary or advisable to effectuate the purposes of the Lease or this resolution, and are in compliance with all applicable laws, including City's Charter; and, be it

FURTHER RESOLVED, That the City shall occupy the entire Premises for the full term of the Lease unless funds for the City's rental payments are not appropriated in any subsequent fiscal year at which time City may terminate the Lease with reasonable advance written notice to Landlord. Such termination shall then be effective upon surrender of the Premises. Said Lease shall be subject to certification as to funds by the Controller, pursuant to Section 3.105 of the Charter; and, be it

FURTHER RESOLVED, That if it is determined that there are no suitable uses for the property currently designated for the Health Service System Wellness Center, upon completion of the wellness study by the Controller's Office, the Director of Real Estate shall find alternative or interim uses of the space; and, be it

FURTHER RESOLVED, That within thirty (30) days of the lease being fully executed by all parties, the Director of Property shall provide the final lease to the Clerk of the Board for inclusion into the official file (File No. 130466).

$433,584.56 Available
Index Code: *

Controller

RECOMMENDED:

John Updike
Director of Real Estate

* Funds available pending approval of the FY 13/14 annual appropriation ordinance

RECOMMENDED:
HEALTH SERVICE SYSTEM

Catherine Dodd
Health Service System
Lisa Ghotbi
Acting Director

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130466 **Date Passed:** June 11, 2013

Resolution authorizing a 10-year lease of 19,560 sq. ft. at 1145 Market Street for office space for the Health Service System from 1145 Market Street, LP, for an initial annual rent of $743,280.

June 05, 2013 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

June 05, 2013 Budget and Finance Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130466

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Angela Calvillo
Clerk of the Board

Edwin M. Lee
Mayor

6/24/13
Date Approved

FILE NO. 130468 RESOLUTION NO. 192-13

[Real Property Lease Amendment - PROXYdevelopment, LLC- Revised Monthly Base Rent to $7,200]

Resolution approving the execution of a lease amendment for a portion of property commonly known as Block No. 0817, Lot No. 30 (Parcel K), by and between the City and County of San Francisco and PROXYdevelopment, LLC, for an extended term through January 31, 2021, and a revised monthly base rent of $7,200 effective June 1, 2015.

WHEREAS, The State of California transferred certain real property located at the southeast corner of Octavia Boulevard and Hayes Street and commonly known as a portion of Assessor's Block No. 0817, Lot 30 (Parcel K) to the City and County of San Francisco (City) as part of the demolition of the former Central Freeway and on the condition that City use the proceeds from any disposition of Parcel K in connection with City's Octavia Boulevard project and for transportation and related purposes set forth in Section 72.1(f)(1) of the California Streets and Highways Code; and

WHEREAS, City sold Parcel K to the Redevelopment Agency of the City and County of San Francisco (Agency), for the future development of affordable housing on the Property; and

WHEREAS, Following Agency's purchase of the Property, City leased Parcel K from the Agency under a Ground Lease dated as of January 30, 2004, as amended by a First Amendment to Ground Lease dated as of March 16, 2010, and a Second Amendment to Ground Lease dated as of April 19, 2011 (Ground Lease), copies of which are on file with the Clerk of the Board of Supervisors in File No. 110917; and

WHEREAS, Pursuant to California State Assembly Bill 1X26 (Chapter 5, Statutes of 2011-2012, First Extraordinary Session) (AB26), the Agency was dissolved as of February 1, 2012; and

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WHEREAS, Pursuant to AB 26, as amended by California State Assembly Bill 1484, signed by the California State Governor on June 27, 2012, and pursuant to Resolution No. 11-12, adopted by the City's Board of Supervisors and City's Mayor as of January 26, 2012, City now owns, and the Mayor's Office of Housing (MOH) has jurisdiction over, the Property; and

WHEREAS, Although the Agency Lease terminated by operation of law when City acquired ownership of the Property on February 1, 2012, the Sublease remains in effect; and

WHEREAS, The Board of Supervisors authorized the Director of Property to execute a three year sublease for Parcel K (Original Sublease) with PROXYdevelopment, LLC (Subtenant) for an initial monthly base rent of $5,000, adjusted annually, and a share of bonus rent under Resolution No. 386-10, adopted by the Board of Supervisors on August 3, 2010 and approved by the City's Mayor on August 12, 2010, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 100670; and

WHEREAS, The Board of Supervisors authorized the Director of Property to execute an amendment to the Original Sublease extending the term to five years for Parcel K under Resolution No. 383-11 (Amended Sublease) with PROXYdevelopment, LLC (Subtenant), adopted by the Board of Supervisors on September 20, 2011, and approved by the City's Mayor on September 26, 2011, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 110917; and

WHEREAS, Subtenant and City wish to extend the term of the Amended Sublease through January 31, 2021 under an amendment to sublease substantially in the form on file with the Clerk of the Board of Supervisors in File No. 130468 (Second Sublease Amendment); and

WHEREAS, The terms and conditions of the Second Sublease Amendment shall include an increase in rental revenue to the City to a base rent of $7,200 per month effective

approximately June 1, 2015, increasing annually thereafter pursuant to said Second Sublease Amendment; and

WHEREAS, The Director of Planning, by letter dated May 14, 2010, a copy of which is on file with the Clerk of the Board of Supervisors in File No.110917, found that the proposed Sublease Amendment is categorically exempt from environmental review and in conformance with the City's General Plan; now, therefore, be it

RESOLVED, That in accordance with the recommendation of the Director of Office of Economic and Workforce Development and the Director of Property, the Director of Property is hereby authorized to execute the Second Sublease Amendment; and, be it

FURTHER RESOLVED, That all actions heretofore taken by any City employee or official with respect to the Second Sublease Amendment are hereby approved, confirmed and ratified; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to enter into any amendments or modifications to the Second Sublease Amendment that the Director of Property determines, in consultation with the City Attorney, are in the best interest of the City, do not materially reduce the rent or otherwise materially increase the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of the Second Sublease Amendment and are in compliance with all applicable laws, including City's Charter.

RECOMMENDED:

Todd Rufo
Director, Office of Economic
and Workforce Development

John Updike
Director of Property

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130468 **Date Passed:** June 11, 2013

Resolution approving the execution of a lease amendment for a portion of property commonly known as Assessor's Block No. 0817, Lot No. 30 (Parcel K), by and between the City and County of San Francisco and PROXYdevelopment, LLC, for an extended term through January 31, 2021, and a revised monthly base rent of $7,200 effective June 1, 2015

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130468

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

AMENDED IN BOARD
6/11/13

FILE NO. 130469 RESOLUTION NO. 193-13

[Accept and Expend Gift - EcoCenter - $20,000]

Resolution authorizing the Department of the Environment to accept and expend a gift in the amount of $20,000 from CH2MHill to build out the Department of the Environment's EcoCenter at 1455 Market Street for an unspecified period starting July 1, 2013.

WHEREAS, CH2MHill has awarded a gift of $20,000 to the Department of the Environment of the City and County of San Francisco to build out its new EcoCenter at 1455 Market Street; and

WHEREAS, The EcoCenter will serve as a portal to environmental information and a living example of energy efficiency and green building technology; and

WHEREAS, The EcoCenter will serve as a community meeting space to engage residents, businesses and other municipal departments; and

WHEREAS, This outreach and engagement will help San Francisco meet its sustainability goals; and

WHEREAS, CH2MHill is a long-time supporter of San Francisco's sustainability goals; and

WHEREAS, The award does not include indirect costs; and

WHEREAS, There is no timeline specified in the gift; and

WHEREAS, The gift does not require an amendment to the Annual Salary Ordinance (ASO); now, therefore, be it

RESOLVED, That the Board of Supervisors authorizes the Department of the Environment to accept and expend a gift of in the amount of $20,000 from CH2MHill.

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Recommended:

Department Head

Approved:

Mayor

Approved:

Controller, Grant Division

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130469 **Date Passed:** June 11, 2013

Resolution authorizing the Department of the Environment to accept and expend a gift in the amount of $20,000 from CH2MHill to build out the Department of the Environment's EcoCenter at 1455 Market Street for an unspecified period starting July 1, 2013.

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - AMENDED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

June 11, 2013 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130469

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

FILE NO. 130471 RESOLUTION NO. 194-13

[SOMA Community Stabilization Fund - $300,000]

Resolution authorizing the 2013 South of Market Community Stabilization Fund Program and authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization Fund dollars in the amount of $300,000.

WHEREAS, On August 19, 2005, the Board of Supervisors approved Ordinance No. 217-05 (the "Ordinance"), adding a new Section 318 to the San Francisco Planning Code, which, among other things, established a new Rincon Hill Downtown Residential District; and,

WHEREAS, The Ordinance imposed a SOMA Community Stabilization Fee on residential development within the new Residential District; and

WHEREAS, The money collected from the SOMA Community Stabilization Fee, along with up to $6 million transferred from the Rincon Hill Community Improvements Fund that was also established under the Ordinance, is in a separate fund called the SOMA Community Stabilization Fund maintained by the Controller (Fund), which will be used to address various impacts of destabilization on residents and businesses in SOMA; and

WHEREAS, Under the Ordinance, the Board of Supervisors established the SOMA Community Stabilization Fund Community Advisory Committee (SOMA CAC) to advise the Mayor's Office of Community Development (MOCD), now the Mayor's Office of Housing (MOH), and the Board of Supervisors on the uses of the Fund; and

WHEREAS, Under Resolution 216-08, the Board of Supervisors approved the SOMA Community Stabilization Fund Strategic Plan and authorized MOH to administer the Fund in accordance with the Strategic Plan; and

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WHEREAS, The SOMA CAC and MOH staff worked collaboratively to issue a request for proposals (RFP) March 29, 2013, consistent with the Strategic Plan, for nonprofit organizations and businesses seeking assistance from the Fund; and,

WHEREAS, A copy of the SOMA CAC Funding Recommendations resulting from the RFP has been filed with the Clerk of the Board under File No. 130471, now, therefore, be it

RESOLVED, That the Mayor's Office of Housing is hereby authorized to expend $300,000 from the SOMA Community Stabilization Fund, all in accordance with the purposes and goals for the funding as generally set forth in the Strategic Plan and the Funding Recommendations.

Recommended:

Olson Lee, Director

Approved:

Edwin M. Lee, Mayor

Ben Rosenfield, Controller

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130471 **Date Passed:** June 11, 2013

Resolution authorizing the 2013 South of Market Community Stabilization Fund Program and authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization Fund dollars in the amount of $300,000.

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130471

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

AMENDED IN COMMITTEE
6/5/13

FILE NO. 130473 RESOLUTION NO. 195-13

[Emergency Contract - Laguna Honda Hospital Cart Wash - Not to Exceed $328,644]

Resolution approving funding increase for an emergency public work contract under Administrative Code, Section 6.60, to repair a kitchen cart wash leak and related mold abatement at Laguna Honda Hospital in an amount not to exceed $328,644.

WHEREAS, The Laguna Honda Hospital Replacement Program team was informed of a leak which occurred in the kitchen of the Pavilion Building at Laguna Honda Hospital. The leak went undetected for an extended period of time which resulted in extensive mold growth in several rooms located below the kitchen and cart wash area; and

WHEREAS, San Francisco Administrative Code, Chapter 6, Article IV, section 6.60, authorizes department heads responsible for public work to award and proceed with an emergency contract, exempt from the competitive bidding process, if the estimated cost of the emergency work is less than or equal to $250,000, in the event of an actual emergency which includes an, ". . . unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of or damage to, life, health property or essential public services;" and

WHEREAS, On June 6, 2012, the Director of the San Francisco Department of Public Works declared an emergency to allow immediate repair of the kitchen cart wash room and mold abatement in the affected areas below, with an estimated construction cost less than $250,000; and

WHEREAS, Section 6.60(D) requires that the San Francisco Board of Supervisors approve emergency work with an estimated cost in excess of $250,000; and

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WHEREAS, During the course of the cart wash repair and abatement emergency work, as a result of necessary scope increases, the Department of Public Works determined that the estimated cost of emergency repairs would total approximately $595,367; and

WHEREAS, The Controller has certified that funds are available for this emergency contract; now, therefore, be it

RESOLVED, That the Director of the San Francisco Department of Public Works is authorized to proceed with all work necessary to repair and abate the Laguna Honda Hospital cart wash room and area below, for a commercially reasonable sum, with an increased contract amount not to exceed $328,644; and, be it

FURTHER RESOLVED, That any action to date by the Department of Public Works to secure such emergency contract and resolve the emergency condition is hereby ratified; and, be it

FURTHER RESOLVED, That within thirty (30) days of the contract being fully executed by all parties, the Director of the Department of Public Works shall provide the final contract to the Clerk of the Board for inclusion into the official file (File No. 130473).

Certified Funds
Available:

BEN ROSENFIELD
Controller

Index Code: PWA595LPFLOC CHLSNF SNUN88

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130473 **Date Passed:** June 11, 2013

Resolution approving funding increase for an emergency public work contract under Administrative Code, Section 6.60, to repair a kitchen cart wash leak and related mold abatement at Laguna Honda Hospital in an amount not to exceed $328,644.

June 05, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130473

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

AMENDED IN COMMITTEE
6/5/13

FILE NO. 130487 RESOLUTION NO. 196-13

[Real Property Lease - 1145 Market Street LP - Law Library - 1145 Market Street - $42,753.75 Per Month]

Resolution authorizing a potential five-year lease of up to 20,000 sq. ft. at 1145 Market Street for space for the San Francisco Law Library from 1145 Market Street LP, a California limited partnership, at an initial monthly cost of $42,753.75 for the period of July 1, 2013, through June 30, 2014.

WHEREAS, By Resolution No. 97-13 (File Number 130227), the Board of Supervisors found that 20,000 net rentable square feet is suitable and sufficient for the San Francisco Law Library (Law Library); authorized the Director of Property to enter into a lease with Van Ness Post Center, LLC, for the Law Library at 1200 Van Ness Avenue; found that the proposed relocation of the Law Library to such space is in conformance with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorized the Director of Property to find alternative comparable space if a lease with Van Ness Post Center, LLC, could not be finalized.

WHEREAS, A lease at 1200 Van Ness Ave. could not be finalized; and

WHEREAS, The Director of Property has found another suitable location at 1145 Market Street, consisting of up to 20,000 net rentable square feet, which is sufficient and suitable for the Law Library's use at present; and

WHEREAS, The Director of Property has negotiated a non-binding Letter of Intent (LOI) (a copy of the LOI is on file in File No. 130487 with the Clerk of the Board) with 1145 Market Street LP, a California limited partnership, as Landlord; and

WHEREAS, The Director of Property has determined that the proposed rental rate for the five (5) year term as set forth in the Lease is equal to or less than fair market rent for the Premises; and

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WHEREAS, Time is of the essence for all the reasons outlined in Resolution No. 97-13; now, therefore, be it

RESOLVED, That in accordance with the recommendation of the City Attorney and the Director of Property, the Director of Property is hereby authorized to take all actions, on behalf of the City and County of San Francisco, as tenant, to execute a written lease and other related documents with 1145 Market Street LP, a California limited partnership, ("Landlord"), for up to 20,000 rentable square feet consisting of the entire fourth (4th) floor and a portion of the second (2nd) floor of the building commonly known as 1145 Market Street, San Francisco, California, on the terms and conditions set forth in the LOI and on a lease form approved by the City Attorney; and authorizes City staff to take all actions, on behalf of the City, to perform its obligations and complete such a lease in a timely fashion; and, be it

FURTHER RESOLVED, As set forth in the LOI, the Lease shall: (i) have an initial premises of 13,155 net rentable square feet; (ii) terminate five (5) years after Substantial Completion of the Tenant Improvements (anticipated Commencement Date of July 1, 2013 and Termination Date of June 30, 2018); (iii) have an initial monthly rent (net of electricity) for the period from July 1, 2013 to June 30, 2014 of $42,753.75 (approximately $39.00 per square foot per year); (iv) allow the City to expand the premises on approximately January 1, 2014 to secure an additional 6,845 net rentable square feet at the same initial annual rate of $39 per square foot; (v) have a base rent that shall increase at a rate of 4% annually on each July 1; (vi) permit City to retain an early Lease Termination Right exercisable by City under certain conditions with one hundred eighty (180) days advance written notice and repayment of Landlord's unamortized costs; and (vii) entitle the City to a tenant improvement allowance not to exceed $25.00 per square foot; and, be it

FURTHER RESOLVED, As set forth in the Lease, the City shall pay for its (i) its separately submetered electricity, (ii) prorata share of operating expenses over a 2013 base year and (iii) for other typical tenant expenses, including the payment of, or amortization of at

an annual rate of 7%, tenant improvement costs in excess of the tenant improvement allowance; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the offices of the City with respect to the Lease are hereby approved, confirmed and ratified; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to enter into any amendments or modifications to the Lease (including without limitation, the exhibits) that the Director of Property determines, in consultation with the City Attorney, are in the best interest of the City, do not materially increase the obligations or liabilities of the City, do not materially decrease the benefits to the City, or are necessary or advisable to effectuate the purposes of the Lease or this resolution, and are in compliance with all applicable laws, including City's Charter; and, be it

FURTHER RESOLVED, That within thirty (30) days of the lease being fully executed by all parties, the Director of Property shall provide the final lease to the Clerk of the Board for inclusion into the official file (File No. 130487); and, be it

FURTHER RESOLVED, That the City shall occupy the entire Premises for the full term of the Lease, unless otherwise permitted under the Lease, or unless funds for the City's rental payments are not appropriated in any subsequent fiscal year at which time City may terminate the Lease with reasonable advance written notice to Landlord. Such termination shall then be effective upon surrender of the Premises. Said Lease shall be subject to certification as to funds by the Controller, pursuant to Section 3.105 of the Charter; and, be it

FURTHER RESOLVED, That all actions taken by the Board, Director of Property and City Attorney related to Resolution No. 97-13 are reaffirmed and authorized.

$646,523 (Base Rent Only)
Available in Fiscal Year 2013-2104,
Subject to Board of Supervisors approval of
Fiscal Year 2013-2104 Budget

Controller

RECOMMENDED:

John Updike
Director of Property

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130487 **Date Passed:** June 11, 2013

Resolution authorizing a potential five-year lease of up to 20,000 sq. ft. at 1145 Market Street for space for the San Francisco Law Library from 1145 Market Street, LP, a California limited partnership, at an initial monthly cost of $42,753.75 for the period of July 1, 2013, through June 30, 2014.

June 05, 2013 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

June 05, 2013 Budget and Finance Committee - RECOMMENDED AS AMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130487

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

AMENDED IN COMMITTEE
6/5/13

FILE NO. 130489 RESOLUTION NO. 197-13

[Apply for, Accept, and Expend Grant - HOME Program - FY2013-2014 - $4,113,152]

Resolution approving the FY2013-2014 HOME Investment Partnership (HOME) Program and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $4,083,152 and to expend program income in the amount of $30,000 for the period of July 1, 2013, through June 30, 2018.

WHEREAS, Under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625, the City and County of San Francisco is eligible to apply for and receive funds from the HOME Investment Partnership (HOME) Program; and,

WHEREAS, The City and County of San Francisco anticipates receiving approximately $4,083,152 in 2013 HOME Program funds from HUD, and estimates $30,000 in Program Income from previous HOME grants; and,

WHEREAS, The Mayor's Office of Housing (MOH) has prepared programs and a proposed Expenditure Schedule for an anticipated entitlement and program income totaling $4,113,152, a copy of which is located in Board File No. 130489 (the "Expenditure Schedule"); and,

WHEREAS, The proposed grant does not require an Annual Salary Ordinance amendment; and,

WHEREAS, The funding agency (HUD) does not allow use of grant on indirect costs; and,

WHEREAS, The HOME Program will be used to provide funds for development, acquisition, and rehabilitation of low-income housing; and,

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WHEREAS, A portion of the administrative and direct costs of administering the HOME Program are to be paid from the FY2013-2014 HOME Program allocation; and,

WHEREAS, The remainder of the administrative and direct costs of administering the HOME Program is an eligible Community Development Block Grant (CDBG) expense, and will be paid from CDBG funds through the FY2013-2014 CDBG Program; now, therefore, be it

RESOLVED, That the Mayor of the City and County of San Francisco is hereby authorized to apply for, accept, and expend the City's FY2013-2014 HOME Program entitlement grant from HUD and an estimated $30,000 in HOME Program Income, all in accordance with the purposes and goals for the funding as generally set forth in the 2010-14 Five Year Consolidated Plan and the Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby approve the purposes and goals for FY2013-2014 HOME Program funding as set forth in the Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and, be it

FURTHER RESOLVED, That the Mayor is hereby authorized to enter into and execute agreements between the City and County of San Francisco and the various agencies consistent with the FY2013-2014 HOME Program and the Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Mayor is hereby authorized to submit documentation and certifications as may be requested or required by HUD, and to take such additional actions as may be required to apply for, accept and expend the FY2013-2014 HOME funds consistent with this Resolution and the goals of the FY2013-2014 HOME Program and all applicable legal requirements; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to the application for, or the acceptance or expenditure of, FY2013-2014 HOME funds are hereby approved, confirmed and ratified.

Recommended:

Olson Lee, Director

Approved:

Edwin M. Lee, Mayor

Ben Rosenfield, Controller

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130489 **Date Passed:** June 11, 2013

Resolution approving the FY2013-2014 HOME Investment Partnership (HOME) Program and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $4,083,152 and to expend program income in the amount of $30,000 for the period of July 1, 2013, through June 30, 2018.

June 05, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130489

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/12/13
Date Approved

AMENDED IN COMMITTEE
6/5/13

FILE NO. 130490 RESOLUTION NO. 198-13

[Apply for, Accept, and Expend Grant - Emergency Solutions Grants Program - FY2013-2014 - $1,182,146]

Resolution approving the Emergency Solutions Grants Program and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 Emergency Solutions Grants Program entitlement in the amount of $1,182,146 from the U.S. Department of Housing and Urban Development for an unspecified period starting July 1, 2013.

WHEREAS, Under the Stewart B. McKinney Homeless Assistance Act and Cranston Gonzalez National Affordable Housing Act of 1990, the Secretary of the U.S. Department of Housing and Urban Development (HUD) is authorized to make a grant to the City and County of San Francisco under the Emergency Solutions Grants Program (ESG); and,

WHEREAS, The City and County of San Francisco anticipates receiving $1,182,146 in FY2013-2014 ESG Program funds from HUD; and,

WHEREAS, The Citizen's Committee on Community Development (CCCD) has prepared recommendations for ESG funding as set forth in a proposed Expenditure Schedule, a copy of which is located in Board File No. 130490; and,

WHEREAS, The ESG Program funds will be used to provide for the rehabilitation or conversion of buildings for use as emergency shelters for the homeless, for the payment of certain operating and social service expenses in connection with emergency shelters and for homeless prevention activities; and,

WHEREAS, The proposed grant does not require an Annual Salary Ordinance amendment; and,

WHEREAS, The funding agency (HUD) does not allow use of the grant on indirect costs; and,

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WHEREAS, An Environmental Review Record has been prepared by the Mayor's Office of Housing (MOH) and approved by the Certifying Officer for the proposed projects and activities as described in the Expenditure Schedule in accordance with the National Environmental Policy Act (NEPA) and other applicable statutes and authorities, in particular those cited in 24 CFR Part 58 §§5 and 6, a copy of which is located in Board File No. 130490; and,

WHEREAS, The Certifying Officer shall follow the procedural provisions of NEPA to confirm and ensure that all projects funded under the ESG Program are in compliance with applicable federal regulations and requirements; now, therefore, be it

RESOLVED, That the Mayor of the City and County of San Francisco is hereby authorized to apply for, accept, and expend the City's FY2013-14 ESG Program entitlement from HUD in accordance with the purposes and goals for the funding as generally set forth in the 2010-14 Five-Year Consolidated Plan and the Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby approve the purposes and goals for FY2013-2014 ESG Program funding as set forth in the Expenditure Schedule for recipient agencies and departments; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and, be it

FURTHER RESOLVED, That the Mayor is hereby authorized to enter into and execute agreements between the City and County of San Francisco and various agencies consistent with the ESG Program and the Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Mayor is hereby authorized to submit documentation and certifications as may be requested or required by HUD, and to take such additional actions as may be required to apply for, accept and expend the ESG funds consistent with

this Resolution and the goals of the ESG Program and all applicable legal requirements; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to the application for, or the acceptance or expenditure of, ESG funds are hereby approved, confirmed and ratified.

Recommended:

Olson Lee, Director

Approved:

Edwin M. Lee, Mayor

Ben Rosenfield, Controller

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130490 **Date Passed:** June 11, 2013

Resolution approving the Emergency Solutions Grants Program and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 Emergency Solutions Grants Program entitlement in the amount of $1,182,146 from the U.S. Department of Housing and Urban Development for an unspecified period starting July 1, 2013.

June 05, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130490

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/14/13
Date Approved

AMENDED IN COMMITTEE
6/5/13

FILE NO. 130491 RESOLUTION NO. 199-13

[Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - FY2013-2014 - $11,179,285]

Resolution approving the Housing Opportunities for Persons with AIDS (HOPWA) Program and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $8,633,125 and to expend program income and reprogrammed funds in the amount of $2,546,160 for the period of July 1, 2013, through June 30, 2018.

WHEREAS, Under the AIDS Housing Opportunity Act, Subtitle D of Title VIII of the National Affordable Housing Act of 1990, Public Law Number 101-625, the City and County of San Francisco is eligible to apply for and receive funds from the Housing Opportunities for Persons with AIDS (HOPWA) Program; and

WHEREAS, The City and County of San Francisco anticipates receiving approximately $8,633,125 in 2013 HOPWA Program funds from HUD, and estimates approximately $25,000 in Program Income from previous HOPWA grants and $2,521,160 in HOPWA funds from previous years that have not been expended (Reprogrammed Funds), for a combined total of approximately $11,179,285; and

WHEREAS, The City and County of San Francisco is responsible for distributing a portion of the HOPWA funds to the County of Marin and the County of San Mateo as the lead agency for the San Francisco Eligible Metropolitan Statistical Area (EMSA); and

WHEREAS, The Mayor's Office of Housing (MOH) has prepared programs and a proposed Expenditure Schedule for FY2013-14 HOPWA funding, including the distributions to the County of Marin and the County of San Mateo, a copy of which is located in Board File No. 130491 (the "Expenditure Schedule"); and

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WHEREAS, The proposed grant does not require an Annual Salary Ordinance amendment; and

WHEREAS, The funding agency (HUD) does not allow use of grant on indirect costs; and

WHEREAS, An Environmental Review Record has been prepared by the Mayor's Office of Housing (MOH) and approved by the Certifying Officer for the proposed projects and activities set forth in the Expenditure Schedule with the National Environmental Policy Act (NEPA) and other applicable statutes and authorities, in particular those cited in 24 CFR Part 58 §§5 and 6, a copy of which is located in Board File No. 130491; and

WHEREAS, The Certifying Officer shall follow the provisions of NEPA to confirm and ensure that all projects funded under the HOPWA Program are in compliance with applicable federal regulations and requirements; now, therefore, be it

RESOLVED, That the Mayor of the City and County of San Francisco is hereby authorized to apply for, accept, and expend the City's FY2013-2014 HOPWA Program entitlement grant from HUD and expend an estimated $25,000 in Program Income and $2,521,160 in Reprogrammed Funds, all in accordance with the purposes and goals for the funding as generally set forth in the 2010-14 Five Year Consolidated Plan and the Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby approve the purposes and goals for FY2013-2014 HOPWA Program funding as set forth in the Expenditure Schedule for recipient agencies and departments; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and, be it

FURTHER RESOLVED, That the Mayor is hereby authorized to enter into and execute agreements between the City and County of San Francisco and the various agencies consistent with the FY2013-2014 HOPWA Program and the Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Mayor is hereby authorized to submit documentation and certifications as may be requested or required by HUD, and to take such additional actions as may be required to apply for, accept and expend the FY2013-2014 HOPWA funds consistent with this Resolution and the goals of the FY2013-2014 HOPWA Program and all applicable legal requirements; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to the application for, or the acceptance or expenditure of, FY2013-2014 HOPWA funds are hereby approved, confirmed and ratified.

Recommended:

Olson Lee, Director

Approved:

Edwin M. Lee, Mayor

Ben Rosenfield, Controller

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130491 **Date Passed:** June 11, 2013

Resolution approving the Housing Opportunities for Persons with AIDS (HOPWA) Program and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $8,633,125 and to expend program income and reprogrammed funds in the amount of $2,546,160 for the period of July 1, 2013, through June 30, 2018.

June 05, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130491

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

AMENDED IN COMMITTEE
6/5/13

FILE NO. 130492 RESOLUTION NO. 200-13

[Apply for, Accept and Expend Grant - Community Development Block Grant - FY2013-2014 - $24,094,211]

Resolution approving the Community Development Block Grant (CDBG) Program authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $17,155,981 and to expend program Income and reprogrammed funds in the amount of $6,938,230 for a combined total of $24,094,211 for a period beginning July 1, 2013, without an expiration date.

WHEREAS, Under Title I of the Housing and Community Development Act of 1974, as amended, and related Federal Regulations, the City and County of San Francisco is eligible to apply for and receive a Community Development Block Grant (CDBG); and

WHEREAS, The City and County of San Francisco anticipates receiving approximately $17,155,981 in FY2013-2014 CDBG Program funds from HUD, and has approximately $1,600,000 in anticipated Program Income and $5,338,230 from previous CDBG grants and program income from prior years, for a combined total of approximately $24,094,211; and,

WHEREAS, The Citizen's Committee on Community Development (CCCD) has prepared recommendations for FY2013-2014 CDBG funding as set forth in a proposed Expenditure Schedule, a copy of which is located in Board File No. 130492; and,

WHEREAS, The proposed grant does not require an Annual Salary Ordinance amendment; and

WHEREAS, The funding agency (HUD) does not allow use of grant on indirect costs; and,

WHEREAS, An Environmental Review Record has been prepared by the Mayor's Office of Housing (MOH) and approved by the Certifying Officer for the proposed projects and

GOVERNMENT
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SAN FRANCISCO

activities set forth in the Expenditure Schedule with the National Environmental Policy Act (NEPA) and other applicable statutes and authorities, in particular those cited in 24 CFR Part 58 §§5 and 6, a copy of which is located in Board File No. 130492; and

WHEREAS, The Certifying Officer shall follow the provisions of NEPA to confirm and ensure that all projects funded under the CDBG Program are in compliance with applicable federal regulations and requirements; now, therefore, be it

RESOLVED, That the Mayor of the City and County of San Francisco is hereby authorized to apply for, accept, and expend the City's 2013 CDBG Program funds from HUD and expend an estimated $6,938,230 in Program Income and Reprogrammed funds, all in accordance with the purposes and goals for the funding as generally set forth in 2010-14 Five Year Consolidated Plan and the Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby approve the purposes and goals for FY2013-2014 CDBG Program funding as set forth in the Expenditure Schedule for recipient agencies and departments; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and, be it

FURTHER RESOLVED, That the Mayor is hereby authorized to enter into and execute agreements between the City and County of San Francisco and various agencies consistent with FY2013-2014 CDBG Program and the Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Mayor is hereby authorized to submit documentation and certifications as may be requested or required by HUD, and to take such additional actions as may be required to apply for, accept and expend the FY2013-2014 CDBG funds consistent with this Resolution and the goals of the FY2013-2014 CDBG Program and all applicable legal requirements; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to the application for, or the acceptance or expenditure of, FY2013-2014 CDBG funds, Program Income and Reprogrammed funds are hereby approved, confirmed and ratified.

Recommended:

Olson Lee, Director

Approved:

Edwin M. Lee, Mayor

Ben Rosenfield, Controller

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130492 **Date Passed:** June 11, 2013

Resolution approving the Community Development Block Grant (CDBG) Program authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $17,155,981 and to expend program income and reprogrammed funds in the amount of $6,938,230 for a combined total of $24,094,211 for a period beginning July 1, 2013, without an expiration date.

June 05, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

June 05, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

June 11, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130492

I hereby certify that the foregoing Resolution was ADOPTED on 6/11/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

6/21/13
Date Approved

3543-8

Altra/Omaha, Ne
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Bindery Ltd
2014